

Nevada Administrative Code  
Board Regulations  
NAC 625

NAC 625

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## GENERAL PROVISIONS

NAC 625.010 Definitions. (NRS 625.140, 625.398) As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 625.011 to 625.019, inclusive, have the meanings ascribed to them in those sections.

[Bd. of Reg'd Professional Eng'rs, § 625.020, eff. 8-16-78]—(NAC A 3-18-80; A by Bd. of Professional Eng'rs & Land Surv., 3-15-93; 11-14-97)

NAC 625.011 "Biennial renewal period" defined. (NRS 625.398) "Biennial renewal period" means the 2 years immediately preceding the date on which a licensee must submit an application for the renewal of his license.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.012 "Board" defined. (NRS 625.140, 625.398) "Board" means the state board of professional engineers and land surveyors.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.014 "Licensee" defined. (NRS 625.140, 625.398) "Licensee" means a professional engineer or professional land surveyor licensed pursuant to the provisions of chapter 625 of NRS.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.016 "Professional development hour" defined. (NRS 625.398) "Professional development hour" means 1 hour of credit obtained by a licensee for participating in courses, programs and activities to maintain, improve or expand the skills and knowledge relevant to his discipline.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.017 "Quarter credit hour" defined. (NRS 625.398) "Quarter credit hour" means 1 hour of college credit for a course which has a duration measured in quarters.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.018 "Respondent" defined. (NRS 625.140, 625.398) "Respondent" means a licensee against whom a complaint has been filed or with respect to whom an investigation is being conducted.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.019 "Semester credit hour" defined. (NRS 625.398) "Semester credit hour" means 1 hour of college credit for a course which has a duration measured in semesters.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.020 Engineering and land surveying licensed as separate professions.

1. In accordance with chapter 625 of NRS, the board will administer the licensing of two separate and distinct professions:

- (a) Professional engineers; and
- (b) Professional land surveyors.

2. Licensure as a professional engineer does not entitle the licensee to practice land surveying, and licensure as a professional land surveyor does not entitle the licensee to practice professional engineering, unless the licensed professional engineer or professional land surveyor is also licensed in the other profession or is exempt from licensure in accordance with the provisions of chapter 625 of NRS.

[Bd. of Reg'd Professional Eng'rs, § 625.010, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92)

NAC 625.110 Board: Meetings.

1. The board will meet at least four times annually and its meetings will be uniformly spaced as nearly as may be practical.

2. Meetings must be scheduled at least 2 months in advance. Persons who desire to attend meetings or bring matters to the board's attention may request notices of meetings from the office of the board.

[Bd. of Reg'd Professional Eng'rs, § 625.110, eff. 8-16-78]

NAC 625.125 Board: Appointment of members emeriti. (NRS 625.140, 625.398)

The board may designate as a board member emeritus in recognition of service on the board, any former member who has retired or has not been reappointed.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

## LICENSING

### NAC 625.210 Applications.

1. An applicant shall not give as professional references persons who are all members of the same organization and not more than one-half of the persons named by the applicant may be members of the applicant's organization. In addition to the references required by NRS 625.390 and unless otherwise permitted by the board, an applicant must submit the names of at least three persons practicing in the discipline of engineering or in the category of land surveying in which he seeks to become licensed. An applicant shall not give the executive secretary of the board as a professional reference.

2. Each applicant must furnish transcripts as proof of his college and postgraduate education. Each transcript must be sent directly to the board by the issuing institution. If transcripts are not available, the applicant must furnish other proof of his education in a form acceptable to the board.

3. Each applicant who was born in a foreign country and who is not registered as a professional engineer in another state must supply documentary proof of his naturalization as a citizen of the United States or of his right to remain and work in the United States.

4. If an applicant is not a resident of this state, the board will not consider him for licensure upon written examination unless the type of license for which he is applying, or its reasonable equivalent, is unavailable to him in the state of his legal residence.

5. Each applicant must pay the following fee, as appropriate, at the time of application:

(a) For each application for licensure as a professional engineer or professional land surveyor or for licensure in an additional discipline of engineering, \$200.

(b) For each application for certification as an engineer-in-training or a land surveyor-in-training, \$50.

[Bd. of Reg'd Professional Eng'rs, § 625.210, eff. 8-16-78]—(NAC A 3-18-80; 5-13-82; 12-22-83; 12-9-86; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-20-89; 7-10-92)

NAC 625.215 Experience. The applicant shall complete at least 2 years of the land surveying experience which is required by subsection 3 of NRS 625.270 under the direct supervision of a land surveyor registered in the jurisdiction in which the applicant performs the land surveying. The experience of the applicant must be in the practice of land surveying as defined in NRS 625.040. Any experience which the applicant applies toward licensure as a professional land surveyor must not also be applied toward licensure as a professional engineer. (Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 5-4-92)

### NAC 625.220 Disciplines of engineering.

1. Each applicant shall specify the discipline of engineering in which he desires to be examined and licensed.

2. The board will classify applicants in a manner which is reasonably consistent with custom in the profession. The board may classify and examine an applicant in the basic discipline of engineering which is most closely associated with the applicant's area of concentration.

3. An applicant may apply for licensure in the following disciplines of engineering:

- (a) Chemical;
- (b) Civil;
- (c) Electrical;
- (d) Fire protection;
- (e) Geological;
- (f) Industrial;
- (g) Manufacturing;
- (h) Mechanical;
- (i) Metallurgical;
- (j) Mining;
- (k) Petroleum; and
- (l) Structural.

4. Each applicant must know the basic concepts of engineering in the fields of mathematics, physics, chemistry, statics, dynamics, strength of materials, fluid mechanics, electricity and magnetism, thermodynamics and economic analysis, and understand the application of these concepts in his specialized discipline of engineering.

[Bd. of Reg'd Professional Eng'rs § 625.220, eff. 8-16-78]-(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92)-(NAC A 1-13-94)

NAC 625.230 Applications for licensure in multiple categories or disciplines.

1. An applicant who applies for licensure in more than one discipline of engineering or in both the categories of professional engineer and land surveyor shall:

- (a) File a separate application for each additional category or discipline requested and pay the application fee for each additional application filed; and
- (b) Complete the application forms to indicate clearly the education, experience and personal references which will substantiate his claims of proficiency in each category or discipline for which he is applying. Experience and personal references must be stated separately for each discipline.

2. If an applicant who is not a professional engineer concurrently applies for initial licensure in two or more disciplines of engineering, the board will not approve the application unless the applicant submits evidence of significant experience, or education and experience, in each of the disciplines.

3. The board generally will not approve an application in an additional discipline of engineering unless the applicant possesses a minimum of 10 years of education and experience.

4. The board may accept a second baccalaureate degree in an approved curriculum in partial satisfaction of the requirements for licensure in an additional discipline of engineering if the applicant clearly shows that he possesses significant experience in the additional discipline, but in no case will the board grant such a license within 6 years after the applicant received his first baccalaureate degree.

5. An applicant who applies for licensure on the basis of comity in more than one discipline of engineering may be granted licensure in the additional disciplines if he clearly shows in his application that he possesses the required education and experience and his claims of proficiency are substantiated in his interview before the board.

[Bd. of Reg'd Professional Eng'rs § 625.230, eff. 8-16-78]-(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92)

NAC 625.240 Licensure on basis of previous licensure in another jurisdiction.

1. An applicant who applies for licensure in this state on the basis of previous licensure in another jurisdiction must:

(a) Pay an application fee of \$200 and file the required application with the board;

(b) Appear before the board or a committee of the board and pass a short written examination on chapter 625 of NRS and the regulations and code of conduct of the board; and

(c) Pass an oral examination during a regular or special meeting of the board.

2. All interviews and examinations may be conducted by a committee of at least three persons selected by the board who are licensed in this state as professional engineers or land surveyors.

3. After the interview and oral examination, the board may require the applicant to pass a written examination as a condition precedent to licensure.

[Bd. of Reg'd Professional Eng'rs § 625.240, eff. 8-16-78]-(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-19-85; 11-20-89)

NAC 625.260 Licensure as structural engineer required for certain activities. Only engineers licensed as structural engineers pursuant to this chapter may structurally design:

1. A structure requiring special expertise, including, but not limited to, a radio tower and a sign over 100 feet. Dynamic machinery and related equipment within the scope of mechanical engineering are not included.

2. A building more than three stories in height.

3. A building more than 45 feet in height, using the bottom of the lowest footing as the point of reference.

(Added to NAC by Bd. of Reg'd Professional Eng'rs and Land Surv., eff. 9-13-85)

NAC 625.310 Examinations: Generally.

1. The board will administer written examinations at least once each year and additional examinations as needed. The time and place for a written examination will be established at least 4 months in advance. Specific information concerning times and places for scheduled examinations may be obtained from the office of the board.

2. Written examinations administered by the board will consist of more than one part. An applicant must earn a passing grade in each of the parts in order to pass the examination. If an applicant fails a part of an examination, he must repeat the entire examination even if he has earned passing grades on one or more parts of his previous examination.

3. The board will attempt to design each written examination so that it is representative of the general practice of a basic discipline of engineering and is also compatible with the applicant's specialized background. The board may limit the extent and degree of detail in which an applicant will be examined in his specialty.

4. The examination for structural engineer is a 16-hour examination which is given for 2 consecutive days and is offered once each year. An applicant for this examination must be a professional engineer in the discipline of civil engineering who has passed 16 hours of written examination acceptable to the board and has also fulfilled the requirements of NAC 625.230.

[Bd. of Reg'd Professional Eng'rs, § 625.310, eff. 8-16-78]-(NAC A by Bd. of Professional Eng'rs and Land Surv., 3-18-80; 12-9-87; 7-10-92)

NAC 625.320 Examinations: Land surveyors-in-training.

1. A person may take the examination to become a land surveyor-in-training only if he meets the requirements of education or experience for certification as a land surveyor-in-training as prescribed in NRS 625.386.
  2. The board will consider an applicant to have met the statutory requirements if he has a combination of education and experience totalling 4 years or more which is satisfactory to the board.
  3. The examination for a land surveyor-in-training consists of a 1-day written test which is given in two 4-hour periods and covers the fundamentals of land surveying as set forth in NRS 625.280.
  4. A person is not eligible to apply to take the examination to become a professional land surveyor unless he has successfully passed or has been excused from the examination for a land surveyor-in-training.
- [Bd. of Reg'd Professional Eng'rs, § 625.320, eff. 8-16-78]-(NAC A 3-18-80; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92)

NAC 625.330 Examinations: Failure to appear.

1. The board must send to an applicant whose application has been approved a notice of the time and place for him to appear before the board for an oral interview, a written examination, or both.
  2. An applicant who is sent a notice shall appear before the board in accordance with the schedule established by the board.
  3. If an applicant fails to appear for an interview or examination within 1 year, he must file a new application for licensure and pay the application fee in effect at the time of reapplication. Any fee previously paid is not refundable.
- [Bd. of Reg'd Professional Eng'rs, § 625.330, eff. 8-16-78]

NAC 625.340 Examinations: Withdrawal.

1. If an applicant is unable to take a written examination for which he has been scheduled, he shall notify the board of his withdrawal not later than 5 weeks before the date of the examination.
  2. An applicant who fails to make a timely withdrawal from a scheduled written examination must pay an additional fee of \$50 to cover the cost of rescheduling the examination.
  3. An applicant for the examination to become an engineer-in-training or a land surveyor-in-training who fails to make a timely withdrawal must pay an additional fee in the amount of the fee for the missed examination.
- [Bd. of Reg'd Professional Eng'rs, § 625.340, eff. 8-16-78]-(NAC A by Bd. of Professional Eng'rs and Land Surv., 12-22-83; 12-10-87)

NAC 625.350 Examinations: Reapplication after failing written examination. An applicant who fails to pass the written examination may reapply to take the examination:

1. Within 12 months after the examination, by paying a fee of \$75.
  2. Twelve months or more after the examination, by:
    - (a) Submitting a new application;
    - (b) Paying an application fee of \$200; and
    - (c) Furnishing proof that he has completed a refresher course in professional land surveying or the discipline of professional engineering in which he is to be examined.
- [Bd. of Reg'd Professional Eng'rs, § 625.350, eff. 8-16-78]-(NAC A 12-22-83; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-20-89; 7-10-92; 9-1-93)

NAC 625.360 Examinations: Reapplication after failing oral examination. An applicant who fails to pass the oral examination may reapply to take the oral examination:

1. Four months or more after failing the first oral examination.
2. Twelve months or more after failing the second oral examination.
3. Twenty-four months or more after failing the third oral examination.
4. A reasonable time as determined by the board after failing the fourth oral examination.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 9-1-93)

NAC 625.410 Expiration and renewal of licensure.

1. On or after January 1, 1990, the fee for a biennial renewal of a single license is \$100.

2. The first letter of a licensee's surname determines the latest date for payment of his renewal fee, as set forth in the following schedule:

A through E - January 1 of each odd-numbered year.

F through K - July 1 of each odd-numbered year.

L through R - January 1 of each even-numbered year.

S through Z - July 1 of each even-numbered year.

3. A person who is licensed in more than one professional category or discipline of engineering must pay the full renewal fee for the first classification and one-half of the renewal fee for each additional classification. No licensee will be charged more than \$200 in a biennium for the renewal of his licenses.

4. If a licensee does not renew his licensure by the appropriate date set forth in subsection 2, his licensure expires and he is not licensed to continue to practice. A former licensee whose licensure has expired because of a failure to pay the renewal fee may renew his licensure within 6 months after the date of expiration by paying the renewal fee and a late charge of \$25.

5. If a license has been expired for more than 6 months, the former licensee:

(a) Must reapply for licensure and pay the appropriate application fee.

(b) May be required to appear before the board.

[Bd. of Reg'd Professional Eng'rs, § 625.410, eff. 8-16-78]-(NAC A 3-18-80; 5-13-82; 12-22-83; 3-15-84; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-20-89; 7-10-92; 12-13-96)

NAC 625.420 Retired or inactive status of licensee; reinstatement to active status. (NRS 625.140, 625.390)

1. In lieu of the renewal of his license, a licensee may apply to the board to change his status to:

(a) Retired, by filing with the board a notice in writing that states his intention to retire from practice. The board will issue an identification card indicating that the licensee is retired and showing the period of his active professional licensure in this state.

(b) Inactive, by filing with the board a notice in writing that states his intention to change his status to inactive and paying a fee that is equal to the fee required for a licensee who wishes to renew his license. The board will issue an identification card indicating that the licensee is inactive.

2. If an identification card is issued to a licensee pursuant to this section, his license expires and he is not licensed to continue to practice.

3. A licensee who has changed his status to retired or inactive status pursuant to this section may reinstate his license to active status by complying with the requirements for the issuance of an original license prescribed in chapter 625 of NRS and this chapter.

[Bd. of Reg'd Professional Eng'rs, § 625.420, eff. 8-16-78]-(NAC A by Bd. of

CONTINUING EDUCATION

NAC 625.430 Requirements for renewal of license. (NRS 625.398)

1. Except as otherwise provided in NAC 625.440 and 625.450, a licensee who, on or after January 1, 1999, applies for the renewal of his license, must submit proof deemed acceptable by the board that he has completed at least 30 professional development hours within the biennial renewal period, including any professional development hours carried forward from the previous biennial renewal period pursuant to subsection 2. If the licensee does not submit such proof to the board or, after being notified by the board that a deficiency exists, does not complete the number of professional development hours which are deficient pursuant to NAC 625.490, the board will deny his application for the renewal of his license.

2. If a licensee has submitted to the board proof deemed acceptable by the board that he has completed more than 30 professional development hours in a biennial renewal period, he may carry forward to the next biennial renewal period not more than 15 of his excess professional development hours.

3. A licensee who is licensed as a professional engineer and who wishes to renew his license is required to complete only 30 professional development hours, regardless of the number of disciplines of professional engineering within which he is licensed.

4. A licensee who is licensed as a professional engineer and a professional land surveyor and who wishes to renew or reinstate both licenses must complete a total of at least 30 professional development hours in activities related to professional engineering and professional land surveying. The professional development hours must include at least:

(a) Ten professional development hours in activities related to professional engineering; and

(b) Ten professional development hours in activities related to professional land surveying.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.440 Exceptions to requirements for renewal of license. (NRS 625.398) A licensee who applies for the renewal of his license is not required to comply with the requirements of NAC 625.430 for a biennial renewal period if:

1. The licensee was issued his initial license during the biennial renewal period or less than 2 years before the beginning of the biennial renewal period; or

2. The licensee served more than 120 consecutive days on active duty in the Armed Forces of the United States during the biennial renewal period

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.450 Waiver of requirements for renewal of license. (NRS 625.398) The board may waive the requirements set forth in NAC 625.430 for a licensee if the board determines that:

1. The licensee has satisfied the requirements for continuing education in his discipline in another state during the biennial renewal period; and

2. The requirements for continuing education in that state are substantially equivalent to the requirements for continuing education set forth in this chapter.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.460 Inactive status: Requirements for renewal of identification card. (NRS 625.390, 625.398) The identification card issued to a licensee who has changed his status to inactive status pursuant to NAC 625.420 expires on the same date as his license would expire if the licensee were on active status. To renew his identification card, a licensee who has changed his status to inactive pursuant to NAC 625.420 must comply with the requirements of NAC 625.430 in the same manner as a licensee who is on active status.  
(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.470 Assignment of professional development hours to certain activities. (NRS 625.398)

1. Except as otherwise provided in subsection 2, a licensee who successfully completes an activity to maintain, improve or expand the skills and knowledge relevant to his discipline is entitled to the number of professional development hours assigned to the activity in accordance with the following schedule, subject to modification by the board:  
Activity Professional Development Hours

College course with a duration measured in semesters-45 for each semester credit hour received

College course with a duration measured in quarters-30 for each quarter credit hour received

Attendance at a seminar, workshop, in-house course of instruction or professional meeting, convention or conference for each hour of attendance

Teaching a course, tutorial, seminar, or workshop for each hour spent teaching

Authoring or coauthoring a paper, article or book that has been published

Serving as an officer or participating member of a committee of a professional or technical organization for each calendar year of service

Receiving a patent as an inventor of record

2. A licensee who teaches the same course on more than one occasion may not obtain any professional development hours for teaching that course a second or subsequent time. A licensee who is a full-time member of the faculty of any institution of the University and Community College System of Nevada or any other public or private institution of learning may not obtain any professional development hours for teaching at that institution.  
(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.480 Proof of completion of professional development hours; form. (NRS 625.398)

1. Proof of the completion of professional development hours must be accompanied by a form prescribed by the board for submission with such proof.

2. A licensee shall:

(a) Retain, for at least 3 years, a copy of the completed form submitted to the board pursuant to subsection 1 and the proof that he completed the professional development hours.

(b) Upon request, submit a copy of the completed form and the proof of completion to the board.

3. Proof of completion of professional development hours may include, without limitation:

(a) A certificate or other document verifying that the licensee successfully completed an activity for which 1 or more professional development hours are claimed.

(b) A literary reference to, or a copy of, a published paper, article or book.

(c) A literary reference to, or copy of, a patent issued to the licensee.

4. The board may refuse to accept professional development hours for which proof of completion is submitted pursuant to subsection 1 if the board determines that the proof of completion is insufficient.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.490 Notification of failure to complete required number of professional development hours. (NRS 625.398) If the board accepts less than 30 professional development hours for which a licensee submits proof of completion pursuant to NAC 625.430, the board will notify the licensee not later than 60 days after the date on which he submitted his application for renewal that:

1. He must successfully complete the number of professional development hours which are deficient within 6 months after the date on which he submitted his application; and

2. His failure to complete those professional development hours will result in the licensee being placed on inactive status.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

#### CODE OF CONDUCT

NAC 625.510 Fundamental principles. A licensee shall uphold and advance the honor and dignity of the profession by maintaining high standards of ethical conduct. In particular, a licensee shall:

1. Be honest and impartial, and serve his employer, clients and the public with devotion;

2. Strive to increase the competence and prestige of the profession; and

3. Use his knowledge and skill for the advancement of human welfare.

[Bd. of Reg'd Professional Eng'rs, § 625.510, eff. 8-16-78]-(NAC A 12-22-83)

NAC 625.520 Relations with the public. In a licensee's relations with the public, he shall:

1. Have proper regard for the safety, health and welfare of the public in the performance of his professional duties.

2. Endeavor to extend public knowledge and appreciation of engineering or land surveying and its achievements, and oppose any untrue, unsupported or exaggerated statements regarding his profession.

3. Be dignified and modest in explaining his work and merit, uphold the honor and dignity of his profession and refrain from self-laudatory advertising.

4. Not express an opinion on any subject concerning engineering or land surveying unless the opinion is founded on adequate knowledge and honest conviction.

5. Preface any ex parte statements, criticism or arguments that he may issue by clearly indicating on whose behalf they are made.

[Bd. of Reg'd Professional Eng'rs, § 625.520, eff. 8-16-78]-(NAC A 12-22-83)

NAC 625.530 Relations with employers and clients. In a professional engineer's or land surveyor's relations with his employers and clients, he shall:

1. Act in professional matters as a faithful agent or trustee for each employer or client.
2. Act fairly and justly toward vendors and contractors, and not accept from vendors or contractors any commission or allowances, directly or indirectly.
3. Inform his employer or client if he is financially interested in any vendor or contractor, or in any invention, machine or apparatus which is involved in a project or work of his employer or client; and not allow such an interest to affect his decisions regarding engineering or land surveying services which he may be called upon to perform.
4. Indicate to his employer or client the adverse consequences to be expected if his engineering or land surveying judgment is overruled.
5. Undertake only those engineering or land surveying assignments for which he is qualified and engage or advise his employer or client to engage specialists and cooperate with them whenever his employer's or client's interests are served best by such an arrangement.
6. Not disclose information concerning the ethical and confidential business affairs and proprietary technical processes of any former employer or client without express consent.
7. Not accept compensation, financial or otherwise, from more than one party for the same service, or for other services pertaining to the same work, without the consent of all interested parties.
8. While employed, not engage in supplementary employment or consulting practice except with the consent of his employer.

[Bd. of Reg'd Professional Eng'rs, § 625.530, eff. 8-16-78]—(NAC A 12-22-83; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92)

NAC 625.540 Relations with other engineers or land surveyors. In his relations with other engineers or land surveyors, the licensee shall:

1. Take care that credit for engineering or land surveying work is given to those to whom credit is properly due.
2. Provide a prospective engineering or land surveying employee with complete information on working conditions and his proposed status of employment, and after employment keep him informed of any changes in them.
3. Endeavor to provide opportunity for the professional development and advancement of licensees in his employ or under his supervision.
4. Not maliciously injure the professional reputation, business prospects or practice of another engineer or land surveyor.
5. If a licensee has evidence that another licensee has been unethical or unfair, or has committed an illegal act in his practice, notify the proper authorities.
6. Not compete unfairly with another licensee.
7. Cooperate in advancing the profession of engineering or land surveying by interchanging information and experience with other licensees and students, and by contributing information to public communication media and to the efforts of engineering, land surveying and scientific societies and schools.

[Bd. of Reg'd Professional Eng'rs, § 625.540, eff. 8-16-78]—(NAC A by Bd. of Professional Eng'rs and Land Surv., 12-22-83; 12-9-87)

NAC 625.550 Licensee employed by governmental agency: Notification to board of certain conduct by another licensee. Any person licensed pursuant to this chapter who is employed by any governmental entity shall notify the board in writing when:

1. Another licensee has submitted substantially incomplete plans to the governmental entity;
2. The governmental entity has, on three or more occasions, rejected plans submitted by another licensee for the same project; or
3. Another licensee has failed timely to respond to correspondence from the governmental entity.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 9-13-85; A 9-1-93)

#### MISCELLANEOUS PROVISIONS

NAC 625.610 Stamps, seals and signatures on documents. (NRS 625.140, 625.565)

1. A facsimile of the stamp and seal prescribed by the board must be obtained at the office of the board at the licensee's expense.
2. A person who is licensed in more than one discipline of engineering shall use a separate stamp for each discipline, except that a person who is licensed in the disciplines of civil engineering and structural engineering may use a single stamp for both disciplines.
3. The impression made by a stamp or seal must be opaque and permanent.
4. Each licensee shall validate a stamp or seal by signing his name legibly in opaque ink across the face of the impression made by the stamp or seal and entering the date of stamping or sealing immediately below the impression of the stamp or seal. The signature must not obliterate the licensee's name, discipline or number of his license. The licensee may not use a stamp or computer to produce his signature.
5. When a licensee signs, stamps or seals a document containing the work of others, the licensee represents that he has prepared or has been in responsible charge of the production of the entire document unless he includes a written statement adjacent to his signature, stamp or seal identifying the portion of the document that he prepared or for which he had responsible charge of the work.
6. For the purposes of NRS 625.565, a professional engineer has "responsible charge of the work" and may sign, stamp or seal plans, specifications, plats or reports which were not prepared by him:
  - (a) If he personally supervises the work on the plans, specifications, plats or reports to the degree that he is satisfied that the work is completed in a proper and professional manner; or
  - (b) Where the plans, specifications, plats or reports are not prepared under his personal supervision, if he or persons under his personal supervision review the plans, specifications, plats or reports and make tests, calculations or changes in the work as necessary for the professional engineer to determine that the work has been completed in a proper and professional manner.
7. A licensee who signs, stamps or seals a document which was not prepared by him but for which he had responsible charge of the work is subject to disciplinary proceedings pursuant to chapter 625 of NRS for any errors in that document as if he prepared it himself. This subsection does not exempt any other licensee who prepared the document from disciplinary action for his errors in that document.

8. For the purposes of NRS 625.565, plans, specifications, plats, reports and any other documents which are issued by a professional engineer with the intent that they be considered as formal or final documents must be stamped with the seal of the professional engineer before they are delivered to or filed with any public authority.

9. A licensee is not required to stamp the following documents:

- (a) An engineering as-built plan or record plan;
- (b) A report which includes observations concerning the progress of the construction of a project;
- (c) An estimate of the costs of a project; or
- (d) A shop drawing that is not required by the specifications of a project.

[Bd. of Reg'd Professional Eng'rs § 625.610, eff. 8-16-78]-(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 5-4-92; 7-10-92; 1-13-94; A by Bd. of Professional Eng'rs & Land Surv., 11-12-97)

NAC 625.611 Plans and specifications submitted to public authority: Contents; stamps and signatures. (NRS 625.140, 625.565)

1. Plans submitted to a public authority must include:

- (a) The name, address and telephone number of the firm which submits the plans;
- (b) The name and location of the project for which the plans are submitted; and
- (c) The date the plans were printed and a statement which indicates whether the plans are preliminary or final.

2. If the plans submitted to a public authority are:

- (a) Original plans, each sheet of the plans must be dated, stamped and signed by the licensee who had responsible charge of the work indicated on the sheet;
- (b) Copies of the original plans, the cover sheet and the first sheet for each discipline of engineering of the plans must be dated and stamped and include an original signature of the licensee who had responsible charge of the work indicated on the sheet; or
- (c) Copies of original plans which have not been dated, stamped and signed, each sheet of the plans must be dated, stamped and signed by the licensee who had responsible charge of the work indicated on the sheet.

3. Each set of specifications submitted to a public authority must include a table of contents or cover sheet that:

- (a) Indicates the discipline of engineering that is the source of each specification; and
- (b) Contains the stamp of, and is signed and dated by, each licensee who had responsible charge of that discipline.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-12-97)

NAC 625.612 Reports, studies, test results, certifications and calculations submitted to public authority: Stamps and signatures. (NAC 625.140, 625.565) Each report, study, test result, certification or calculation which is submitted to a public authority must be stamped, signed and dated by the licensee who had responsible charge of that report, study, test result, certification or calculation.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-12-97)

NAC 625.613 Documents prepared by licensee: Inclusion of supplemental information; contents. (NRS 625.140)

1. Details, shop drawings, descriptions of products or any other information which is prepared by a manufacturer, supplier or installer of a product or system may be included in a document which has been prepared and stamped by a licensee.
  2. Each document which is prepared by a licensee must include:
    - (a) A description of the document;
    - (b) The date the document was printed;
    - (c) The name, address and telephone number of the licensee's firm; and
    - (d) The name and location of the project for which the document was prepared.
- (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-12-97)

NAC 625.615 Address of licensee: Filing with and use by board; notice of change.

1. Each licensee shall file with the board the complete address of his principal place of business, including the name and number of the street, or, if the licensee does not maintain a principal place of business, the complete address of his residence or the number of his post office box.
  2. The board will send all communications to the licensee at the address or post office box filed pursuant to subsection 1.
  3. If a licensee changes his address or post office box, he shall submit a written notice of the change to the board within 10 days.
- (Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 10-11-91)

NAC 625.620 Fictitious names. Any licensee or firm, partnership, corporation, joint-stock association or other business organization engaged in the practice of engineering or land surveying as defined by chapter 625 of NRS which conducts business under an assumed or fictitious name or designation and which does not show the real name of the organization or names of the persons engaged or interested in the business shall file with the board a certificate of fictitious name in the form required by chapter 602 of NRS within 30 days after the first use of the name or designation.

[Bd. of Reg'd Professional Eng'rs § 625.620, eff. 8-16-78]

NAC 625.625 Notice of change in licensee's employer, category or discipline. If any information on file with the board concerning a licensee's:

1. Employer; or
  2. Category or discipline of engineering or land surveying,
- changes, the licensee shall submit written notice of the change to the board within 30 days. The notice must include any change of the telephone number of the licensee's principal place of business.
- (Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 10-11-91)

NAC 625.630 Advertising for or offering to perform engineering in discipline in which licensee or organization is not licensed.

1. A licensee or firm, partnership, corporation, joint-stock association or other organization shall not advertise for or offer to perform engineering in a discipline of professional engineering in which the licensee or a member of the organization has not been licensed by the board, unless the licensee or organization has a full-time partner, associate, officer or employee licensed to practice in that discipline of engineering.

2. Licensees and organizations shall not advertise for work in a discipline of engineering in which they are not licensed and thereafter seek to employ persons qualified to do the work only after the work has been obtained. Professional engineers and organizations may solicit work only in those disciplines of engineering in which they are licensed.

3. As used in this section, "full-time employee" means a person who:

(a) Devotes more than one-half of his working time in the actual employ of the licensee or organization and not merely as a consultant; and

(b) Is physically present in the offices of his employer during normal business hours unless his professional duties require him to be elsewhere.

[Bd. of Reg'd Professional Eng'rs, § 625.630, eff. 8-16-78]-(NAC A 3-18-80; 12-9-86; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92)

#### PRACTICE BEFORE THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

##### Parties

NAC 625.635 Representation of parties; qualifications of attorneys. (NRS 625.140)

1. A party may, in any proceeding before the board, represent himself or be represented by an attorney or any other person he designates.

2. If a party chooses to be represented by an attorney, the attorney must be admitted to practice and in good standing before the highest court of any state.

If the attorney is not admitted and entitled to practice before the supreme court of Nevada, he must associate with an attorney who is so admitted and entitled to practice.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

##### Disciplinary Action

NAC 625.640 Attempted settlement; investigation; recommendation of executive director.

1. Any person who is aggrieved by the alleged professional misconduct or incompetence of a person subject to the jurisdiction of the board may file a complaint with it pursuant to NRS 625.420 and the board may attempt to reach a settlement before holding a disciplinary hearing.

2. Upon receipt of a complaint, a member of the board's staff shall initiate an investigation. Upon completion of the investigation, the member of the board's staff shall submit a written report containing the results of the investigation to the executive director.

3. The executive director shall:

(a) Review the written report submitted pursuant to subsection 2; and

(b) Upon completion of the review, recommend to the board that:

(1) The board dismiss the complaint;

(2) The executive director negotiate a settlement with the respondent, subject to the approval of the board;

(3) The board schedule the matter for a disciplinary hearing; or

(4) The board refer the matter to an advisory committee for further review.

[Bd. of Reg'd Professional Eng'rs, § 625.640, eff. 8-16-78]-(NAC A by Bd. of Professional Eng'rs & Land Surv., 3-15-94)

NAC 625.645 Conditions of probation.

1. If the board determines that probation is an appropriate disciplinary sanction pursuant to NRS 625.460, it may require as conditions of probation:
    - (a) That the licensee notify the board concerning each project on which the licensee is working;
    - (b) The supervision of the licensee by an independent professional selected by the board;
    - (c) The payment of all costs of the board, not to exceed \$5,000 per violation; and
    - (d) Any other conditions deemed appropriate by the board.
  2. Any notification required pursuant to subsection 1 must include:
    - (a) The name of the client;
    - (b) The name of the project;
    - (c) The location of the project;
    - (d) The type and scope of work involved;
    - (e) The size of the project; and
    - (f) The amount of the fee to be paid to the licensee.
- (Added to NAC by Bd. of Reg'd PE & Land Surv., eff. 5-31-90; A 9-1-93)

#### Advisory Committees

NAC 625.646 Establishment of advisory committee; members; recommendations.

1. The board may establish an advisory committee composed of professional engineers, land surveyors or other persons to:
    - (a) Provide technical assistance in the evaluation and disposition of a complaint regarding the action or inaction of a licensee;
    - (b) Participate in the evaluation of candidates for licensure by comity; or
    - (c) Provide assistance in any area that the board deems necessary.
  2. Members of an advisory committee:
    - (a) Serve at the pleasure of the board.
    - (b) Are prohibited from participating in any proceeding in which a member of the board similarly situated would be required to abstain.
    - (c) Are entitled to travel expenses and subsistence allowances, but are not entitled to compensation for services rendered to the board.
  3. Each member of the board is a nonvoting, ex officio member of any such advisory committee and may attend any meeting of such an advisory committee.
  4. The board is not bound by any recommendation made by an advisory committee.
- (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94)

NAC 625.6465 Evaluation and disposition of complaint: Duties of executive director. If the board establishes an advisory committee for the evaluation and disposition of a complaint, the executive director shall:

1. Select five persons to serve as the members of the advisory committee from a list of volunteers approved by the board, three of whom, if practicable, must be from the same discipline as the respondent;
2. Designate one member to act as the chairman;
3. Schedule an informal conference between the advisory committee and the respondent;
4. Provide written notice of the time and place of the informal conference to each member of the advisory committee, the respondent and any witnesses requested by the respondent or the staff of the board to appear at the informal conference;
5. Serve the decision and recommendation of the advisory committee on the respondent within a reasonable period; and
6. Inform the board of the recommended disposition of the complaint.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94)

NAC 625.647 Evaluation and disposition of complaint: Duties of advisory committee.

1. If the board establishes an advisory committee for the evaluation and disposition of a complaint, the advisory committee shall:

(a) Review the complaint and the written report submitted pursuant to subsection 2 of NAC 625.640 to determine whether there is probable cause to believe that the respondent violated NRS 645.410;

(b) Hold an informal conference with the respondent and any other person who may assist in resolving the complaint;

(c) Attempt to arrive at a resolution of the complaint with the respondent; and

(d) Within 15 days after the conclusion of the informal conference, submit to the executive director a report containing written recommendations regarding the disposition of the complaint.

2. In addition to the report required by paragraph (d) of subsection 1, within 15 days after the conclusion of the informal conference, the chairman of the advisory committee shall submit to the board a report which contains a summary of the informal conference and recommendations regarding the disposition of the complaint.

3. The board is not bound by any recommendation made by an advisory committee regarding the disposition of the complaint.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94)

NAC 625.6475 Evaluation and disposition of complaint: Informal conference.

1. At an informal conference held pursuant to NAC 625.647:

(a) The chairman of the advisory committee shall:

(1) Rule on the admissibility of all evidence.

(2) Accept all evidence which is relevant to the complaint.

(b) The advisory committee is not bound by the formal rules of evidence.

(c) The findings of the advisory committee must be supported by substantial evidence.

(d) Evidence considered by the advisory committee in its review of a complaint must remain confidential. If the board schedules the matter for a disciplinary hearing, the board will conduct a hearing de novo of the charges contained in the complaint.

2. An advisory committee may continue an informal conference for good cause shown.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94)

NAC 625.648 Evaluation and disposition of complaint: Actions of respondent.

1. If a respondent declines to participate in a review of the complaint by an advisory committee, the executive director shall refer the complaint to the board for any further action that it deems appropriate.

2. If the respondent accepts the recommendations of the advisory committee which reviewed the complaint, the respondent must enter into an agreement with the board regarding the resolution of the complaint within 15 days after he is served with the recommendations by the executive director. Such an agreement is not effective until the respondent has signed the agreement and the board has approved it.

3. If the respondent rejects the recommendation of the advisory committee, the board will take any further action that it deems appropriate.

4. If the respondent fails to notify the board that he accepts the recommendation of the advisory committee, the board will take any further action that it deems appropriate.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94)

## Miscellaneous Petitions

NAC 625.649 Petitions for adoption, amendment or repeal of regulations.

1. Any person who is interested may file a written petition with the executive secretary of the board to adopt, amend or repeal any of these regulations in accordance with NRS 233B.100. The executive secretary shall notify the members of the board when such a petition has been filed and place it on the agenda for hearing not later than the second regular meeting after its receipt.

2. The secretary shall notify the petitioner of the time and place for the hearing on the petition and advise him that he may attend the hearing to present evidence and oral arguments in support of his petition.

3. After the hearing, the board must proceed to dispose expeditiously of the petition and will notify the petitioner in writing of its decision.

[Bd. of Reg'd Professional Eng'rs, § 625.120, eff. 8-16-78]—(Substituted in revision for NAC 625.120)

## STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS

### General Provisions

NAC 625.651 "Positional certainty" defined. (NRS 625.140, 625.250) As used in

NAC 625.651 to 625.795, inclusive, "positional certainty" means a measurement of the relative accuracy of positions with respect to the location of a controlling monument.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.655 Applicability of statutes and regulations. (NRS 625.140, 625.250)

When engaging in the practice of land surveying in this state, a professional land surveyor shall apply all applicable statutes and regulations in addition to the minimum standards of practice for professional land surveyors established in NAC 625.660 to 625.795, inclusive.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)—(Substituted in revision for NAC 625.650)

NAC 625.660 Responsibility for compliance with standards of practice. (NRS

625.140, 625.250) Responsibility for adherence to the minimum standards of practice for engaging in the practice of land surveying rests with the professional land surveyor in responsible charge of the work. Failure on the part of any Nevada professional land surveyor to comply with these minimum standards may be considered by the board as evidence of gross negligence, professional incompetence or misconduct in the practice of land surveying.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.662 Units of measurement. (NRS 625.140, 625.250)

1. Lineal measurements on a survey may be expressed in feet or meters. Measurements of area may be expressed in acres, square feet, hectares or square meters. If any measurement is reported in metric units, the professional land surveyor shall include on the survey the information necessary to convert the measurement to its nonmetric equivalent.

2. As used in this section, the words "foot" and "meter" have the meanings ascribed to them in NRS 327.030.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.664 Positional certainty: Minimum confidence level. (NRS 625.140, 625.250) For the purposes of NAC 625.651 to 625.795, inclusive, the positional certainty of a point or monument or of the horizontal or vertical component of a survey must be based upon a confidence level of not less than 95 percent. (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.666 Positional certainty: Horizontal and vertical components of certain land surveys. (NRS 625.140, 625.250)

1. The requirements for positional certainty for the horizontal component of land boundary, topographic, control and geodetic surveys are as follows:

Type of Survey

Positional Certainty

Meters U.S. Survey Feet

Land Boundary Surveys

High Urban  $\pm 0.02$

M  $\pm 0.05$  ft

Low Urban  $\pm 0.04$  m  $\pm 0.15$  ft

High Rural  $\pm 0.1$  m  $\pm 0.3$  ft

Low Rural  $\pm 0.15$  m  $\pm 0.5$  ft

Control and Geodetic Surveys

Precise Measurement Studies  $\pm 0.001$  m to  $\pm 0.01$  m  $\pm 0.002$  ft to  $\pm 0.03$  ft

State Network  $\pm 0.02$  m  $\pm 0.05$  ft

County Network  $\pm 0.04$  m  $\pm 0.15$  ft

Local Network  $\pm 0.06$  m  $\pm 0.2$  ft

Photogrammetric Control  $\pm 0.06$  m to  $\pm 1$  m  $\pm 0.2$  ft to  $\pm 3$  ft

Topographic Surveys

Engineering Design Surveys  $\pm 0.01$  m to  $\pm 0.1$  m  $\pm 0.03$  ft to  $\pm 0.3$  ft

Planning Study Surveys  $\pm 0.02$  m to  $\pm 0.05$  m  $\pm 0.05$  ft to  $\pm 0.15$  ft

Utilities Mapping  $\pm 0.15$  m  $\pm 0.5$  ft

Feature Mapping  $\pm 0.3$  m  $\pm 1$  ft

Resource Mapping  $\pm 0.5$  m to  $\pm 100$  m  $\pm 1.5$  ft to  $\pm 330$  ft

Requirements for positional certainty for the vertical component of land boundary, control, geodetic and topographic surveys are as follows:

Type of Survey

Positional Certainty

Meters U.S. Survey Feet

Land Boundary Surveys  $\pm 0.05$  m  $\pm 0.15$  ft

Control and Geodetic Surveys Other Than Photogrammetric Control Surveys  $\pm 0.005$  m to  $\pm 0.03$  m  $\pm 0.02$  ft to  $\pm 0.1$  ft

Photogrammetric Control Surveys  $\pm 0.03$  m to  $\pm 0.5$  m  $\pm 0.1$  ft to  $\pm 1.5$  ft

Topographic Surveys

National Map Accuracy Standards

3. For the purposes of this section, the National Map Accuracy Standards, as they existed on November 14, 1997, are hereby adopted by reference. A copy of the National Map Accuracy Standards may be obtained from the United States Geological Survey, Department of the Interior, 12201 Sunrise Valley Drive, Reston, VA 20192, at no cost.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.668 Positional certainty: Horizontal and vertical positions of monuments. (NRS 625.140, 625.250) When conducting a land boundary, topographic, control or geodetic survey, a professional land surveyor shall ensure that the horizontal and vertical positions of the monuments established by the surveyor comply with the requirements for positional certainty set forth in NAC 625.666. (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

Land Boundary Surveys

NAC 625.670 Required research, identifications, measurements and computations. (NRS 625.140, 625.250) In conducting a land boundary survey, a professional land surveyor shall:

1. Search pertinent documents, including, but not limited to, maps, deeds, title reports, title opinions and the records of the U.S. Public Land Survey System.
2. Thoroughly examine the information and data acquired.
3. Diligently search for and identify monuments and other physical evidence which could affect the location of the boundaries of the property being surveyed.
4. Conduct field measurements necessary to relate adequately the position of all apparent evidence pertinent to the boundaries of the property being surveyed.
5. Make computations to verify the correctness of field data acquired and confirm that results of measurements are within acceptable limits of tolerance. Computations must be made to determine the relative positions of all found evidence.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.680 Disagreements concerning measurements or positions of monumented corners. If a professional land surveyor has a material disagreement with the measurements or monumented corner positions of another land surveyor, the professional land surveyor shall contact the other land surveyor and attempt to resolve the disagreement.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92)

NAC 625.690 Location of corners, boundaries and monuments. (NRS 625.140, 625.250)

1. The professional land surveyor shall make a final analysis and reach a conclusion as to the most probable location of corner positions and boundary lines.

2. A professional land surveyor shall set monuments pursuant to the provisions of NRS 625.380 and all applicable local ordinances.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.700 Report to client of discrepancies concerning boundary lines. The professional land surveyor shall:

1. Advise his client of discrepancies which raise doubts concerning the boundary lines of the property being surveyed; and

2. Provide a written report to his client concerning the discrepancies.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92)

NAC 625.710 Identification and description of monuments. (NRS 625.140, 625.250)

1. All monuments, whether set or found, must be thoroughly described and specifically identified as set or found, whenever shown on maps or referred to in documents prepared by a professional land surveyor. Descriptions of monuments must be sufficient in detail to facilitate readily future recovery and to enable positive identification, including map references.

2. If the Nevada coordinate system, as defined in chapter 327 of NRS, is used to describe a monument:

(a) The control used as the coordinate basis must be shown on any maps on which the monument is shown or documents in which reference is made to the monument; and

(b) The source of the control data used must be described.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.720 Drawing of survey; certification. (NRS 625.140, 625.250)

1. A professional land surveyor shall prepare a scaled drawing of the survey for presentation to the client. The drawing must comply with the provisions of NRS 625.340, 625.350 and 625.565.

2. In cases where a certification is required by statute or local ordinance, the professional land surveyor shall certify only those matters personally known to be true. The certificate must be in the following form:

**SURVEYOR'S CERTIFICATE**

I, ..... (name of professional land surveyor), a Professional Land Surveyor registered in the State of Nevada, certify that:

1. This plat represents the results of a survey conducted under my supervision at the instance of ..... (owner, trustee, etc.).

2. The land surveyed lies within ..... (section, township, range, meridian, county and city, if incorporated), and the survey was completed on ..... (date).

3. This plat complies with applicable statutes of this state and any local ordinances in effect on the date that the survey was completed, and the survey was conducted in accordance with Chapter 625 of the Nevada Administrative Code.

4. The monuments depicted on the plat are of the character shown, occupy the positions indicated, and are of sufficient durability.

5. (Any other information that the professional land surveyor personally knows to be true concerning the land surveyed.)

(Validated seal of the professional land surveyor);

(Name and license number of the professional land surveyor printed below the seal).

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.740 Classifications of surveys; use of classifications and requirements for positional certainty. (NRS 625.140, 625.250)

1. Boundary surveys have been divided into the following four classifications:

(a) High Urban. Surveys of land lying within or adjoining a city or town, including surveys of commercial and industrial properties, condominiums, townhouses, apartments and other multiunit developments, regardless of geographic location.

(b) Low Urban. Surveys of land lying outside high urban areas and used almost exclusively for single family residential use or residential subdivisions.

(c) High Rural. Surveys of land such as farms and other undeveloped land lying outside the low urban areas which may have potential for future development.

(d) Low Rural. Surveys of land normally lying in remote areas with difficult or barren terrain and which usually have limited potential for development.

2. A professional land surveyor shall use the classifications described in subsection 1 and the requirements for positional certainty for those classifications prescribed in NAC 625.666 to establish the locations of monuments in a boundary survey.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

## Construction Surveys

NAC 625.760 Contract drawings and specifications; special instructions. (NRS 625.140, 625.250) Before beginning a construction survey, a professional land surveyor shall obtain from the owner's representative a complete set of the contract drawings and specifications approved by the appropriate federal, state and local agencies and any special instructions for the proposed fixed works. (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.765 Establishment of final location of points. (NRS 625.140, 625.250) When conducting a construction survey, a professional land surveyor shall establish the final location of points within positional certainties which ensure that the proposed fixed works may be properly constructed. (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.770 Verification of location of certain points; notification of insufficient dimensions or details. (NRS 625.140, 625.250)

1. A professional land surveyor who is conducting a construction survey shall ensure that:

(a) The location of the control that delineates the horizontal location of the proposed fixed works; and

(b) The locations of the benchmark for the project and the vertical location of the proposed fixed works, are identical to the locations of those points as shown on the engineering plans for the project.

2. If the professional land surveyor discovers any material differences between the location of the control on the construction survey and the location of the control on the engineering plans for the project, he shall notify the owner's representative of those differences.

3. If the dimensions or details of the engineering plans are not sufficient to establish the location of the proposed fixed works, the professional land surveyor shall notify the owner's representative and the engineer or architect of record and request that the necessary additional information be provided.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.775 Positional certainties for marking locations of proposed fixed works. (NRS 625.140, 625.250) A professional land surveyor who conducts a construction survey shall place the stakes or other materials used to mark the location of the proposed fixed works within the following positional certainties:

Proposed Fixed Works

Horizontal Positional

Vertical Positional

Certainty Certainty

MetersFeetMetersFeet

Rough Grades  $\pm 0.03$  m  $\pm 1$  ft  $\pm 0.06$  m  $\pm 0.2$  ft

Subgrades  $\pm 0.15$  m  $\pm 0.5$  ft  $\pm 0.015$  m  $\pm 0.05$  ft

Finish Grades  $\pm 0.15$  m  $\pm 0.5$  ft  $\pm 0.015$  m  $\pm 0.05$  ft

Buildings  $\pm 0.015$  m  $\pm 0.05$  ft  $\pm 0.01$  m  $\pm 0.03$  ft

Sewer Facilities  $\pm 0.1$  m  $\pm 0.3$  ft  $\pm 0.015$  m  $\pm 0.05$  ft

Waterlines  $\pm 0.1$  m  $\pm 0.3$  ft  $\pm 0.03$  m  $\pm 0.1$  ft

Water Facilities Other Than Waterlines  $\pm 0.03$  m  $\pm 0.1$  ft  $\pm 0.015$  m  $\pm 0.05$  ft

Street Lights and Devices for the Control of Traffic  $\pm 0.06$  m  $\pm 0.2$  ft  $\pm 0.03$  m  $\pm 0.1$  ft

Curbs and Gutters  $\pm 0.03$  m  $\pm 0.1$  ft  $\pm 0.015$  m  $\pm 0.05$  ft

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.780 Sketches, cut sheets and field notes. (NRS 625.140, 625.250) A professional land surveyor who conducts a construction survey shall provide the owner's representative sketches, cut sheets or other field notes to describe the survey conducted.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.785 Verification surveys: Exchange of information. (NRS 625.140, 625.250)

If a professional land surveyor other than the surveyor responsible for the initial location of the proposed fixed works conducts a verification survey, the professional land surveyor shall share with the surveyor responsible for the initial location of the proposed fixed works notes and other data related to the verification survey. Each surveyor shall provide to the other surveyor the results of the survey conducted by him and cooperate to resolve any discrepancies between the two surveys.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

## Miscellaneous Provisions

NAC 625.790 Preparation of legal description of property. If a professional land surveyor is called upon to prepare a legal description of real property, the professional land surveyor shall include:

1. A sufficient caption, body and where applicable, qualifying clauses;
  2. A clear statement of the relationship between the real property being described and the survey control or the basis of the unique location;
  3. A clear statement explaining the basis of bearings or language which otherwise makes definite the method of direction and orientation for the lines of the property being described and the survey control related thereto;
  4. Full and complete citations to maps, plats, documents and other matters of record, facts of pertinence, which are intended to be incorporated into and made a part of the legal description by reference thereto;
  5. When called out, complete and detailed descriptions of physical monuments, both natural and artificial;
  6. When appropriate, incorporated either directly or by citation, sufficient data to enable a check of mathematical closure for the property being described; and
  7. His name, the number of his Nevada license and his validated seal.
- (Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92)-(Substituted in revision for NAC 625.730)

NAC 625.795 Duties regarding geographic information systems. (NRS 625.140, 625.250)

1. When contributing information to a geographic information system, a professional land surveyor must include for use as meta-data a statement describing the positional certainty of each type of information contributed to the system by the professional land surveyor.
2. When advising the developers of a geographic information system, a professional land surveyor must make recommendations concerning the appropriate methods for:
  - (a) Conducting a survey for the development of the system; and
  - (b) Compiling data for the contribution of additional information to the system after it is developed.
3. A professional land surveyor shall comply with the provisions of NAC 625.651 to 625.795, inclusive, when conducting surveys to collect information that will be included in a geographic information system.
4. As used in this section:
  - (a) "Geographic information system" means a collection of computer hardware, software and data that is used for the collection, management, manipulation, analysis and display of information that includes a positional component.
  - (b) "Meta-data" means data that describes information used to describe an object.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

Nevada Revised Statutes  
CHAPTER 625

PROFESSIONAL ENGINEERS AND SURVEYORS

CHAPTER 625  
PROFESSIONAL ENGINEERS AND SURVEYORS  
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NRS 625.210 Certificate of registration as professional engineer: Issuance; fee; contents; effect. [Repealed.]

NRS 625.220 Certificate of registration: Issuance to professional engineer registered in other state or country. [Repealed.]

NRS 625.230 Seal of professional engineer: Contents; use; reproducible stamp authorized. [Repealed.]

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NRS 625.295 Certificate of registration: Issuance; contents; effect. [Replaced in revision by NRS 625.381.]

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NRS 625.390 Application for licensure: Contents; fees; renewal; penalty for late renewal. [Effective until the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

NRS 625.390 Application for licensure: Contents; fees; renewal; penalty for late renewal. [Effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

NRS 625.395 Renewal of expired license. [Effective until the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

NRS 625.395 Renewal of expired license. [Effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

NRS 625.397 Board may require examination for reinstatement or renewal of license.

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## CHAPTER 625

### PROFESSIONAL ENGINEERS AND SURVEYORS

#### CROSS REFERENCES

Action for damages for deficiency in design, supervision of construction, statute of limitations, NRS 11.202-11.206, 40.600-40.695 Architects' licensing law, registered professional engineers exempted, NRS 623.330

Boundary monuments and markers, unlawful removal or alteration, NRS 206.220

Construction, disbursement of money for, NRS ch. 627

Contracts for prepaid professional services, NRS 287.500-287.530

Engineering terms contained in name of corporation, certification required, NRS 78.045

Environmental health specialists, NRS ch. 625A

Interior designers, collaboration with engineers, NRS 623.354

Land, division of land into large parcels, NRS 278.471-278.4725

Landscape architecture, practice permitted, NRS 623A.070

Mechanics' liens, NRS 108.221-108.246

Mining claims, evidentiary effect of surveyor's field notes and certificates, NRS 517.210

Parcel maps, NRS 278.461-278.469

Partnerships, associations and corporations of engineers, architects and landscape architects, NRS 623.350

Perpetuation of public land survey corners, NRS ch. 329

Planned Unit Development Law, NRS ch. 278A

Professional corporations and associations, NRS ch. 89

State board of professional engineers and land surveyors-

Accounting Procedures Law, State, NRS 353.291-353.3245

Administrative Procedure Act, NRS ch. 233B

Audits, NRS 218.825

Contract employees, requirements, NRS 284.013

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NEVADA CASES.

Professional structural engineer is exempt from provisions regulating practice of architecture. Professional structural engineer is exempt from provisions of NRS ch. 623, which regulates practice of architecture, because professional engineers registered under NRS ch. 625 are specifically exempted by subsection 3, NRS 623.330 and exemption is not limited to services enumerated in NRS 625.050. Where extent of statutory exemption is doubtful, exemption to penal statute is liberally construed in favor of defendant. *Sardis v. Second Judicial Dist. Court*, 85 Nev. 585, 460 P.2d 163 (1969), cited, *Sheriff, Clark County v. Hanks*, 91 Nev. 57, at 60, 530 P.2d 1191 (1975)

ATTORNEY GENERAL'S OPINIONS.

Maps, plats and land descriptions must be signed by currently registered land surveyor for county recordation. Under NRS ch. 625, maps, plats and land descriptions must be signed by currently registered land surveyor for purpose of county recordation, and for that purpose subdivision map prepared by registered civil engineer was not acceptable. AGO 214 (3-15-1961)

Employees of state board of registered professional engineers are not employees of state qualified for membership in retirement system. Employees of state board of registered professional engineers, which under NRS ch. 625 receives all its funds from profession regulated, are not employees of state or agency of state, to qualify for membership in public employees' retirement system under NRS ch. 286, but are employees of instrumentality of state and qualified for coverage under federal Social Security Act. AGO 187 (12-7-1964)

Electrical safety engineer certified by professional society whose standards are lower than those set by statute is not qualified to practice in Nevada. Person certified as electrical safety engineer by professional society which is not official state registering agency as provided in NRS 625.220 and whose standards are lower than those set by NRS 625.180 is not qualified to practice engineering in Nevada until he has complied fully with requirements of NRS ch. 625. AGO 319 (4-1-1966)

Professional engineer distinguished from land surveyor. State board of registered professional engineers can recall certificate issued by previous board which designates holder as Professional Engineer, Land Surveying, and substitute certificate designating holder as Registered Land Surveyor when holder is actually only qualified to be land surveyor, because under NRS ch. 625 professional engineer is distinguished from land surveyor and designation of land surveyor also as engineer is error within power of board to correct. Board should also prepare and issue annual renewal cards to registrants using designation Registered Land Surveyor. AGO 351 (8-18-1966)

Statute providing for certification and licensing of professional engineers does not restrict or preempt city authority to place tax on privilege of conducting profession. NRS ch. 625, providing for state certification and licensing of professional engineers and land surveyors, designed primarily to regulate professional quality rather than to raise revenue, neither preempts nor restricts power granted under NRS 266.355 and 268.095 authorizing imposition by city of licensing tax for revenue purposes for privilege of conducting profession or doing business within city boundaries. AGO 626 (10-29-1969)

NRS 625.005 Purpose. The purpose of this chapter is to safeguard life, health and property and to promote the public welfare by providing for the licensure of qualified and competent professional engineers and professional land surveyors.

(Added to NRS by 1991, 2236; A 1997, 1040)

NRS 625.008 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 625.010 to 625.090, inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1991, 2236; A 1997, 1040)

NRS 625.010 "Board" defined. "Board" means the state board of professional engineers and land surveyors.

[Part 2:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459]-(NRS A 1979, 1101; 1991, 2237; 1993, 125)

NRS 625.025 "Discipline" defined. "Discipline" means a recognized field of study in professional engineering as determined by the board.

(Added to NRS by 1991, 2237)

NRS 625.030 "Engineer intern" defined. "Engineer intern" means a person who has satisfied the requirements of NRS 625.386 and subsection 1 of NRS 625.390.

[Part 2:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459]-(NRS A 1977, 740; 1989, 778; 1991, 2237; 1995, 45; 1997, 1040)

NRS 625.033 "Intern" defined. "Intern" means an engineer intern or a land surveyor intern.

(Added to NRS by 1997, 1038)

NRS 625.035 "Land surveyor intern" defined. "Land surveyor intern" means a person who has satisfied the requirements of NRS 625.386 and subsection 1 of NRS 625.390.

(Added to NRS by 1979, 1099; A 1991, 2237; 1995, 45; 1997, 1040)

NRS 625.038 "Licensee" defined. "Licensee" means a professional engineer or professional land surveyor licensed pursuant to the provisions of this chapter.

(Added to NRS by 1997, 1038)

NRS 625.040 "Practice of land surveying" defined.

A person who, in a private or public capacity, does or offers to do any one or more of the following practices land surveying:

(a) Locates, relocates, establishes, reestablishes or retraces any property line or boundary of any tract of land or any road, right of way, easement, alignment or elevation of any of the fixed works embraced within the practice of professional engineering as described in NRS 625.050.

(b) Makes any survey for the subdivision or resubdivision of any tract of land.

(c) Determines, by the use of the principles of land surveying, the position for any monument or reference point which marks a property line, boundary or corner, or sets, resets or replaces any such monument or reference point.

(d) Determines the configuration or contour of the earth's surface or the position of fixed objects thereon by measuring lines and angles and applying the principles of trigonometry.

(e) Geodetic or cadastral surveying.  
(f) Municipal and topographic surveying.  
(g) Determines the information shown or to be shown on any map or document prepared or furnished in connection with any one or more of the functions described in paragraphs (a) to (f), inclusive, of this subsection.  
(h) Indicates in any manner, by the use of the title "land surveyor," or by any other representation, that he practices or offers to practice land surveying.  
(i) Procures or offers to procure land-surveying work for others or for himself.  
(j) Manages or conducts as manager, proprietor or agent any place from which land-surveying work is solicited, performed or practiced.

2. A person practices land surveying if he professes to be a land surveyor or is in a responsible charge of land-surveying work.

3. Making a survey exclusively for geological or landscaping purposes, or aerial photographs or photogrammetry, not involving any of the practices specified in subsection 1, does not constitute land surveying.

4. The practice of land surveying does not include the design, either in whole or in part, of any structure or fixed works embraced in the practice of professional engineering.

[Part 11 1/2:198:1919; added 1947, 797; A 1955, 391] + [Part 13:198:1919; added 1947, 797; A 1949, 639; 1955, 391]-(NRS A 1961, 312; 1977, 741; 1989, 778; 1991, 2237)

#### NEVADA CASES.

Subsequent modification of statute to exclude land surveying from practice of engineering had prospective effect only. Where person had been duly licensed as professional engineer-land surveyor in accordance with statute in effect at time of licensing, subsequent modification of statute to exclude land surveying from practice of engineering (see NRS 625.040 and 625.050) could not affect his status, because license to practice profession is valuable personal right which may not be denied or diminished without due process of law. *Leavitt v. Pine*, 86 Nev. 634, 472 P.2d 526 (1970)

#### ATTORNEY GENERAL'S OPINIONS.

NRS 625.180 does not apply to applicants for classification of land surveyor. Sec. 5, ch. 198, Stats. 1919 (cf. NRS 625.180), does not apply to applicants for classification of land surveyor. AGO 840 (12-23-1949)

NRS 625.050 "Practice of professional engineering" defined.

1. "The practice of professional engineering" includes, but is not limited to:  
(a) Any professional service which involves the application of engineering principles and data, such as surveying, consultation, investigation, evaluation, planning and design, or responsible supervision of construction or operation in connection with any public or private utility, structure, building, machine, equipment, process, work or project, wherein the public welfare or the safeguarding of life, health or property is concerned or involved.  
(b) Such other services as are necessary to the planning, progress and completion of any engineering project or to the performance of any engineering service.

2. The practice of engineering does not include land surveying or the work ordinarily performed by persons who operate or maintain machinery or equipment.

[Part 2:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459]-(NRS A 1961, 313; 1967, 950; 1991, 2238)

#### NEVADA CASES.

Professional structural engineer is exempt from provisions regulating practice of architecture. Professional structural engineer is exempt from provisions of NRS ch. 623, which regulates practice of architecture, because professional engineers registered under NRS ch. 625 are specifically exempted by subsection 3, NRS 623.330 and exemption is not limited to services enumerated in NRS 625.050. Where extent of statutory exemption is doubtful, exemption to penal statute is liberally construed in favor of defendant. *Sardis v. Second Judicial Dist. Court*, 85 Nev. 585, 460 P.2d 163 (1969), cited, *Sheriff, Clark County v. Hanks*, 91 Nev. 57, at 60, 530 P.2d 1191 (1975)

Subsequent modification of statute to exclude land surveying from practice of engineering had prospective effect only. Where person had been duly licensed as "professional engineer-land surveyor" in accordance with statute in effect at time of licensing, subsequent modification of statute to exclude land surveying from practice of engineering (see NRS 625.040 and 625.050) could not affect his status, because license to practice profession is valuable personal right which may not be denied or diminished without due process of law. *Leavitt v. Pine*, 86 Nev. 634, 472 P.2d 526 (1970)

#### ATTORNEY GENERAL'S OPINIONS.

Legislation intended that land surveying should be separate and distinct branch of engineering. While field of professional engineering includes the surveying branch, it is clear that legislation intended that land surveying should be separate and distinct branch of engineering, qualifications for practice of which must be met before license may be issued. Passage of oral or written examination is, among others, one of qualifications that must be met. AGO 301 (11-5-1953)

NRS 625.060 "Professional engineer" defined. "Professional engineer" means a person who by reason of his professional education and practical experience is granted a license by the board to practice professional engineering. [Part 2:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459]-(NRS A 1991, 2239; 1997, 1040)

NRS 625.070 "Professional land surveyor" defined. "Professional land surveyor" means a person who by reason of his professional education and practical experience is granted a license by the board to practice land surveying in this state. [Part 11 1/2:198:1919; added 1947, 797; A 1955, 391]-(NRS A 1989, 779; 1991, 2239; 1997, 1040)

NRS 625.080 "Responsible charge of work" defined. "Responsible charge of work" means the independent control and direction, by the use of initiative, skill and independent judgment, of the investigation or design of professional engineering or land-surveying work or the supervision of such work. [Part 11 1/2:198:1919; added 1947, 797; A 1955, 391]-(NRS A 1965, 1323; 1975, 819; 1991, 2239)

NRS 625.090 "Subordinate" defined. "Subordinate" means any person directly supervised by a professional land surveyor or professional engineer who assists a professional land surveyor or professional engineer in the practice of land surveying or professional engineering. [Part 11 1/2:198:1919; added 1947, 797; A 1955, 391]-(NRS A 1965, 1323; 1989, 779; 1991, 2239)

NRS 625.100 Creation; number and appointment of members; oath.

1. The governor shall appoint seven persons, six of whom must be engaged in the practice or teaching of professional engineering in any of its disciplines except military engineering, and one of whom must be engaged in the practice or teaching of land surveying. The members must be citizens of the United States and residents of this state, and constitute the state board of professional engineers and land surveyors.

2. All appointments made must be from the current roster of professional engineers and professional land surveyors as issued by the board and on file in the office of the secretary of state. Insofar as practicable, membership on the board must be distributed proportionately among the recognized disciplines of the profession. One of the members who is a professional land surveyor must not be licensed as a professional engineer.

3. Within 30 days after his appointment, a member shall take and subscribe to the oath of office as prescribed by the laws of Nevada and shall file the oath with the secretary of state.

[1:198:1919; A 1935, 377; 1949, 639; 1951, 459; 1955, 391]-(NRS A 1965, 1323; 1977, 1249; 1979, 1101; 1991, 2239; 1993, 125; 1997, 1040)

#### NRS CROSS REFERENCES.

Oath of office, NRS 282.020

Terms of members, vacancies, NRS 232A.020

#### ATTORNEY GENERAL'S OPINIONS.

"Insofar as practicable" is qualifying in character. Cases construing phrase "insofar as practicable" hold that it is qualifying in its character, and deny unqualified or unrestrained meaning to wording or directive in connection with which it is used. AGO 167 (5-21-1952)

NRS 625.110 Officers; quorum; compensation of members and employees; executive director.

1. The board shall elect officers from its members and, by regulation, establish the:

- (a) Offices to which members may be elected;
- (b) Title and term for each office; and
- (c) Procedure for electing members to each office.

2. At any meeting, four members constitute a quorum.

3. Each member is entitled to receive:

- (a) A salary of not more than \$80 per day, as fixed by the board, while engaged in the business of the board; and
- (b) A per diem allowance and travel expenses at a rate fixed by the board, while engaged in the business of the board. The rate must not exceed the rate provided for state officers and employees generally.

4. While engaged in the business of the board, each employee of the board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the board. The rate must not exceed the rate provided for state officers and employees generally.

5. The salaries of members of the board and employees of the board must be paid from the fees received by the board pursuant to the provisions of this chapter, and no part of those salaries may be paid out of the state general fund.

6. The board shall appoint an executive director who serves at the pleasure of the board and is entitled to receive such compensation as may be fixed by the board.

[4:198:1919; A 1947, 797; 1943 NCL § 2873]-(NRS A 1963, 146; 1965, 1324; 1975, 302, 720; 1981, 1991; 1983, 804; 1989, 779, 1694; 1997, 1041)

NRS 625.120 Offices. The board may maintain offices in as many localities in the state as it finds necessary to carry out the provisions of this chapter. [Part 3:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459; 1955, 391]-(NRS A 1963, 147; 1989, 779)

NRS 625.130 Seal. The board shall adopt and have an official seal. [Part 3:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459; 1955, 391]

NRS 625.135 Employees. The board may employ and fix the compensation to be paid to attorneys, investigators and other professional consultants and clerical personnel necessary to the discharge of its duties and may reimburse such employees for actual expenses they incur while acting on behalf of the board. (Added to NRS by 1963, 146; A 1989, 779)

#### NRS CROSS REFERENCES.

Contracts for services to be in writing and approved, NRS 284.013

NRS 625.140 Bylaws and regulations; code of conduct. The board may adopt all bylaws and regulations, including the adoption of a code of conduct which is binding on any person licensed in accordance with the provisions of this chapter, not inconsistent with the constitution and laws of this state, which are necessary for the proper performance of the duties of the board, the regulation of the proceedings before it and the maintenance of a high standard of integrity and dignity in the profession. [Part 3:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459; 1955, 391]-(NRS A 1965, 1324; 1991, 2239; 1997, 1041)

#### ADMINISTRATIVE REGULATIONS.

Professional engineers and surveyors, NAC ch. 625

NRS 625.145 Fiscal year. The board shall operate on the basis of a fiscal year commencing on July 1 and terminating on June 30. (Added to NRS by 1963, 146)

NRS 625.150 Deposit and use of money received by board; delegation of authority concerning disciplinary action; deposit of fines; claim for attorney's fees or cost of investigation; disciplinary action.

1. The board shall deposit in banks and savings and loan associations in the State of Nevada all money collected by it.
2. Except as otherwise provided in subsection 6, all money collected by the board must be used to meet the expenses of conducting examinations, issuing licenses and conducting the office of the board.
3. The expenses of the board, including the per diem allowances and travel expenses of the members and employees of the board while engaged in the business of the board and the expenses of conducting examinations, must be paid from the current receipts. No portion thereof may be paid from the state treasury.
4. Any balance remaining in excess of the expenses incurred may be retained by the board and used in defraying the future expenses thereof.
5. The board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines and penalties therefor and deposit the money therefrom in banks or savings and loan associations in this state.

6. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 5 and the board deposits the money collected from the imposition of fines with the state treasurer for credit to the state general fund, it may present a claim to the state board of examiners for recommendation to the interim finance committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

7. The board shall consider and take appropriate action concerning a written notification received by the board pursuant to NRS 278.587 or 338.176. [Part 3:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459; 1955, 391]-(NRS A 1963, 147; 1965, 61; 1989, 1695; 1993, 884; 1997, 155, 1041)

#### ATTORNEY GENERAL'S OPINIONS.

Deposit of fines and penalties absent delegation of authority to take disciplinary action. Unless state board of professional engineers and land surveyors delegates its authority to take disciplinary action to hearing officer or panel, any fines or penalties imposed must be deposited with state treasurer for credit to state general fund. (see NRS 625.150.) AGO 94-9 (5-20-1994)

NRS 625.152 Duties: Issuance of licenses; implementation of provisions of chapter; provision of certain information. The board shall:

1. Issue licenses to qualified and competent persons as professional engineers and professional land surveyors and certify qualified and competent persons as engineer interns and land surveyor interns.
2. Carry out the provisions of this chapter.
3. Upon request, provide information concerning the regulation of the practice of professional engineering and land surveying.

(Added to NRS by 1997, 1038)

NRS 625.154 Duties: Annual examinations.

1. The board shall hold examinations of applicants for licenses at least once each year in localities determined by the number of applications received.
2. The examinations must be written and administered in English.

(Added to NRS by 1997, 1038)

NRS 625.170 Roster: Preparation; contents; distribution.

1. The executive director of the board shall, once each year or at intervals established by the board, prepare a roster that shows, for each:
  - (a) Professional engineer, his name, the city in which he lives, his license number and the discipline of engineering in which he specializes.
  - (b) Professional land surveyor, his name, the city in which he lives and his license number.
  - (c) Engineer intern or land surveyor intern, his name and license number.
2. The roster must be:
  - (a) Made available to each licensee in a manner prescribed by the board.
  - (b) Placed on file with the secretary of state and county and city clerks.
  - (c) Distributed or sold to the public.

[Part 3:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459; 1955, 391]-(NRS A 1965, 1325; 1967, 951; 1975, 816; 1979, 1100; 1989, 779; 1991, 2240; 1995, 45; 1997, 1042)

NRS 625.175 Power of board to define scope of disciplines of engineering. The board may by regulation define the scope of each discipline of professional engineering for which licensure is required pursuant to this chapter.  
(Added to NRS by 1975, 816; A 1991, 2240; 1997, 1042)

NRS 625.177 Power of board to require persons who are not natural persons to obtain license before engaging in practice of professional engineering; regulations.

1. The board may require a firm, partnership, corporation or any other person who is not a natural person to obtain a license from the board before engaging in or offering to engage in the practice of professional engineering in this state. The board may charge a fee of not more than \$50 to apply for the issuance of a license pursuant to this section.

2. The board may adopt regulations to carry out the provisions of this section.  
(Added to NRS by 1997, 64; A 1997, 1071)

NRS 625.179 Power of board to require persons who are not natural persons to obtain license before engaging in practice of land surveying; regulations.

1. The board may require a firm, partnership, corporation or any other person who is not a natural person to obtain a license from the board before engaging in or offering to engage in the practice of land surveying in this state. The board may charge a fee of not more than \$50 to apply for the issuance of a license pursuant to this section.

2. The board may adopt regulations to carry out the provisions of this section.  
(Added to NRS by 1997, 64; A 1997, 1071)

#### PROFESSIONAL ENGINEERING

NRS 625.180 Qualifications of applicant for registration as professional engineer. Repealed. (See chapter 295, Statutes of Nevada 1997, at page 1071.)

#### ADMINISTRATIVE REGULATIONS.

Professional engineers and surveyors, NAC ch. 625

#### NEVADA CASES.

Board may determine individual knowledge and skill of candidates for licensing and subjects and degree of knowledge to be required. In determining constitutionality of statutes, NRS 625.180 et seq., which authorize state board of registered professional engineers to determine fitness of candidates to practice that profession, court applied test that power to make law cannot be delegated by legislature, but authority to exercise discretion in accordance with law can be conferred. Administrative board could determine both (1) individual knowledge and skill of candidates and (2) subjects and degree of knowledge to be required. *Pine v. Leavitt*, 84 Nev. 507, 445 P.2d 942 (1968), cited, *Davis v. Warden*, 88 Nev. 443, at 447, 498 P.2d 1346 (1972)  
Words "satisfactory to the board" did not constitute invalid delegation of legislative authority. Use of such words as "satisfactory to the board" in NRS 625.180 to 625.210, inclusive, which provide for examination and certification of applicants by state board of registered professional engineers, did not constitute invalid delegation of legislative authority, because these statutes enunciated public policy and established basic standards required of engineers, leaving only modicum of discretion to board. *Pine v. Leavitt*, 84 Nev. 507, 445 P.2d 942 (1968)

ATTORNEY GENERAL'S OPINIONS.

Section 625.180 does not apply to applicants for classification of land surveyor. Sec. 5, ch. 198, Stats. 1919 (cf. NRS 625.180), does not apply to applicants for classification of land surveyor. AGO 840 (12-23-1949)

Electrical safety engineer certified by professional society whose standards are lower than those set by statute is not qualified to practice engineering in Nevada. Person certified as electrical safety engineer by professional society which is not official state registering agency as provided in NRS 625.220 and whose standards are lower than those set by NRS 625.180 is not qualified to practice engineering in Nevada until he has complied fully with requirements of

NRS ch. 625. AGO 319 (4-1-1966)

NRS 625.183 Qualifications of applicant for licensure as professional engineer.

1. A person who:

(a) Is 21 years of age or older; and

(b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States,

may apply to the board, in accordance with the provisions of this chapter and any regulations adopted by the board, for licensure as a professional engineer.

2. An applicant for licensure as a professional engineer must:

(a) Be of good character and reputation; and

(b) Pass the examination on the:

(1) Fundamentals of engineering or receive a waiver of that requirement; and

(2) Principles and practices of engineering, pursuant to NRS 625.193.

3. An applicant for licensure as a professional engineer may not take the examination on the principles and practices of engineering, unless he:

(a) Is a graduate of an engineering curriculum of 4 years or more that is approved by the board and has a record of 4 years or more of active experience in engineering that is satisfactory to the board and indicates that he is competent to be placed in responsible charge of engineering work; or

(b) Has a record of 10 years or more of active experience in engineering work that is satisfactory to the board and indicates that he is competent to be placed in responsible charge of engineering work.

4. For the purposes of determining whether an applicant for licensure as a professional engineer has an adequate record of active experience pursuant to paragraph (a) of subsection 3:

(a) Graduation from a college or university in a field other than engineering is equivalent to 2 years of active experience.

(b) Two of the 4 years of active experience must have been completed by working under the direct supervision of a person who is a professional engineer, unless that requirement is waived by the board.

(c) The execution, as a contractor, of work designed by a professional engineer or the supervision of the construction of that work as a foreman or superintendent, is not equivalent to active experience in engineering.

5. For the purposes of determining whether an applicant for licensure as a professional engineer has an adequate record of active experience pursuant to paragraph (b) of subsection 3:

- (a) Satisfactory completion of 1 year of courses in engineering that are approved by the board, by a person who has not graduated from an engineering curriculum, is equivalent to 1 year of active experience in engineering.
- (b) Graduation from a college or university in a field other than engineering is equivalent to 2 years of active experience.
- (c) Two of the 10 years of active experience must have been completed by working under the direct supervision of a person who is a professional engineer unless that requirement is waived by the board.
- (d) The execution, as a contractor, of work designed by a professional engineer or the supervision of the construction of that work as a foreman or superintendent, is not equivalent to active experience in engineering.
- (e) Not more than 4 years of active experience may be satisfied by the completion of educational course work.

6. A person who is not working in the field of engineering when he applies for licensure is eligible for licensure as a professional engineer if he complies with the requirements for licensure prescribed in this chapter.

(Added to NRS by 1997, 1038)

NRS 625.185 Qualifications for certification as engineering intern. Repealed. (See chapter 295, Statutes of Nevada 1997, at page 1071.)

NRS 625.190 Examination: Time; place; number. Repealed. (See chapter 295, Statutes of Nevada 1997, at page 1071.)

NRS 625.193 Examination for licensure: Scope; waiver; administration.

1. The examination for licensure as a professional engineer must consist of:
  - (a) An 8-hour examination on the fundamentals of engineering that must cover the subject matter of a general education or training in engineering. If the applicant for licensure as a professional engineer has 15 years or more of experience in engineering, the examination on the fundamentals of engineering may be waived. For the purposes of determining the years of experience of an applicant for licensure as a professional engineer pursuant to this paragraph, the board shall consider graduation from an engineering curriculum that is approved by the board to be equivalent to 4 years of experience.
  - (b) An 8-hour examination on the principles and practices of engineering that must cover the discipline of engineering in which the applicant is applying for licensure.
2. An applicant for licensure as a professional engineer must pass the examination on the fundamentals of engineering or receive a waiver of that requirement before he may take the examination on the principles and practices of engineering.
3. When determining the content of the examinations on the fundamentals of engineering and the principles and practices of engineering, the board shall consider the recognized disciplines of engineering and may conform the examination to the particular qualifications of the applicant.
4. The board may require additional examinations for licensure in specialized areas of practice within one or more recognized disciplines of engineering.
5. The board may administer or authorize an accredited college or university that offers a program in engineering approved by the board to administer the examination on the fundamentals of engineering to persons who are not applicants for licensure as professional engineers in this state.

6. The board may prescribe or limit the use of notes, texts and reference materials by applicants who are taking the examinations.
7. The board may require the examinations or any portion of the examinations set forth in this section to be completed:
  - (a) In writing, with a pen or pencil of a type that has been approved by the board;
  - (b) With a computer that has been provided or approved by the board; or
  - (c) Orally, in the manner prescribed by the board.

(Added to NRS by 1997, 1039)

NRS 625.200 Examination: Scope; additional examinations for specialized areas of practice; passing grade. Repealed. (See chapter 295, Statutes of Nevada 1997, at page 1071.)

#### ADMINISTRATIVE REGULATIONS.

Licensing and registration, NAC 625.210-624.420

NRS 625.210 Certificate of registration as professional engineer: Issuance; fee; contents; effect. Repealed. (See chapter 295, Statutes of Nevada 1997, at page 1071.)

NRS 625.220 Certificate of registration: Issuance to professional engineer registered in other state or country. Repealed. (See chapter 295, Statutes of Nevada 1997, at page 1071.)

#### ATTORNEY GENERAL'S OPINIONS.

Electrical safety engineer certified by professional society whose standards are lower than those set by statute is not qualified to practice engineering in Nevada. Person certified as electrical safety engineer by professional society which is not official state registering agency as provided in former NRS 625.220 and whose standards are lower than those set by NRS 625.180 is not qualified to practice engineering in Nevada until he has complied fully with requirements of NRS ch. 625. AGO 319 (4-1-1966)

NRS 625.230 Seal of professional engineer: Contents; use; reproducible stamp authorized. Repealed. (See chapter 295, Statutes of Nevada 1997, at page 1071.)

#### ADMINISTRATIVE REGULATIONS.

Stamps, seals and signatures on documents, NAC 625.610

NRS 625.240 Conditions under which association may practice professional engineering. Repealed. (See chapter 295, Statutes of Nevada 1997, at page 1071.)

Copartnership, corporation or joint stock association composed of both registered engineers and persons not so registered may practice engineering if nonengineer members are not publicly represented as licensed engineers. Former NRS 625.240, which permits practice of professional engineering by firm, copartnership, corporation or joint-stock association if principal members in responsible charge of engineering work are registered professional engineers, does not prohibit practice of professional engineering by firm, copartnership, corporation or joint-stock association composed of both registered engineers and persons not so registered, if nonengineer members are not publicly represented as licensed engineers. AGO 58 (5-27-1959)

State planning board may enter into architectural or engineering contract with firm composed of members who are licensed architects or engineers and other members who are neither. State planning board is not prohibited from entering into architectural or engineering contract with firm or partnership composed of some members who are licensed architects or engineers and other members who are neither. AGO 58 (5-27-1959)

#### PROFESSIONAL LAND SURVEYING NEVADA CASES.

Surveyor for Federal Government, although not licensed in Nevada, was qualified to render opinion as expert concerning standard of care for professional land surveyor in Nevada. In negligence action against respondent who was professional land surveyor (see NRS 625.250 et seq.), district court relied upon testimony of expert witness who was surveyor for Bureau of Land Management concerning standard of care for surveyors in Nevada. Respondent's argument on appeal that witness was not qualified to render opinion as to standard of care because witness was not licensed surveyor in Nevada was rejected by supreme court because: (1) person need not be licensed to qualify as expert, but need only possess special knowledge, skill, experience, training or education relating to subject matter (see NRS 50.275); and (2) employees of Federal Government who have been authorized under federal law to conduct surveys need not be licensed in Nevada unless they are performing private surveys within state (see NRS 625.490). *Hanneman v. Downer*, 110 Nev. 167, 871 P.2d 279 (1994)

Surveyor may be held liable to subsequent purchasers of property for damages that result from his mistakes, misrepresentations or negligence. Where performance of professional land surveyor in surveying real property failed to meet requisite standard of care, surveyor was liable for damages suffered by foreseeable subsequent purchasers of property who relied upon survey to their detriment, because surveyors may be held liable for damages that result from their mistakes, misrepresentations or negligence, and lack of contractual privity between parties is not defense in action for tortious negligence. (See NRS 625.250 et seq.) *Hanneman v. Downer*, 110 Nev. 167, 871 P.2d 279 (1994) Period of limitation on action for negligence against professional land surveyor. Action against professional land surveyor for negligence must, pursuant to NRS 11.220, be brought within 4 years after accrual of cause of action. (See NRS 625.250 et seq.) *Hanneman v. Downer*, 110 Nev. 167, 871 P.2d 279 (1994)

ATTORNEY GENERAL'S OPINIONS.

Water right surveyors appointed by state engineer must first qualify as registered land surveyors. State water right surveyors, appointed by state engineer under NCL § 7978 (cf. NRS 533.080), must first qualify as registered land surveyors under secs. 13 and 14, ch. 198, Stats. 1919 (cf. NRS 625.250 et seq.). AGO 533 (11-3-1947)

NRS 625.250 Duties of board concerning professional land surveyors. The board shall:

1. Administer the provisions and requirements of this chapter concerning professional land surveyors.
2. Make and enforce such regulations as are necessary to carry out those provisions.

[Part 12:198:1919; added 1947, 797; 1943 NCL § 2875.05b]-(NRS A 1989, 783; 1991, 2243)

ADMINISTRATIVE REGULATIONS.

Professional engineers and surveyors, NAC ch. 625

ATTORNEY GENERAL'S OPINIONS.

NRS 625.180 does not apply to applicants for classification of land surveyor. Sec. 5, ch. 198, Stats. 1919 (cf. NRS 625.180), does not apply to applicants for classification of land surveyor. AGO 840 (12-23-1949)

NRS 625.261 Conditions under which association may practice land surveying. [Replaced in revision by NRS 625.407.]

NRS 625.270 Qualifications of applicant for licensure as professional land surveyor.

1. A person who:

(a) Is 21 years of age or older; and

(b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States,

may apply to the board, in accordance with the provisions of this chapter and any regulations adopted by the board, for licensure as a professional land surveyor.

2. An applicant for licensure as a professional land surveyor must:

(a) Be of good character and reputation; and

(b) Pass the examination on the:

(1) Fundamentals of land surveying or receive a waiver of that requirement; and

(2) Principles and practices of land surveying,

pursuant to NRS 625.280.

3. An applicant for licensure as a professional land surveyor may not take the examination on the principles and practices of land surveying, unless he:

(a) Is a graduate of a land-surveying curriculum of 4 years or more that is approved by the board and has a record of 4 years or more of active experience in land surveying that is satisfactory to the board and indicates that he is competent to be placed in responsible charge of land-surveying work; or

(b) Has a record of 10 years or more of active experience in land-surveying work that is satisfactory to the board and indicates that he is competent to be placed in responsible charge of land-surveying work.

4. For the purposes of determining whether an applicant for licensure as a professional land surveyor has an adequate record of active experience pursuant to paragraph (a) of subsection 3:

(a) Graduation from a college or university in a field other than land surveying is equivalent to 2 years of active experience.

(b) Two of the 4 years of active experience must have been completed by working under the direct supervision of a person who is a professional land surveyor, unless that requirement is waived by the board.

(c) The execution, as a contractor, of work designed by a professional land surveyor or the supervision of the construction of that work, as a foreman or superintendent, is not equivalent to active experience in land surveying.

5. For the purposes of determining whether an applicant for licensure as a professional land surveyor has an adequate record of active experience pursuant to paragraph (b) of subsection 3:

(a) Satisfactory completion of 1 year of courses in land surveying that are approved by the board, by a person who has not graduated from a land-surveying curriculum, is equivalent to 1 year of active experience in land surveying.

(b) Graduation from a college or university in a field other than land surveying is equivalent to 2 years of active experience.

(c) Two of the 10 years of active experience must have been completed by working under the direct supervision of a person who is a professional land surveyor unless that requirement is waived by the board.

(d) The execution, as a contractor, of work designed by a professional land surveyor or the supervision of the construction of that work, as a foreman or superintendent, is not equivalent to active experience in land surveying.

(e) Not more than 4 years of active experience may be satisfied by the completion of educational course work.

6. A person who is not working in the field of land surveying when he applies for licensure is eligible for licensure as a professional land surveyor if he complies with the requirements for licensure prescribed in this chapter.

[Part 14:198:1919; added 1947, 797; A 1951, 459; 1955, 391]—(NRS A 1965, 1326; 1975, 1169; 1977, 743; 1989, 783; 1991, 2243; 1995, 49; 1997, 1043)

NRS 625.275 Qualifications for certification as land-surveying intern.

[Replaced in revision by NRS 625.386.]

NRS 625.280 Examination for licensure: Scope; waiver; administration.

1. The examination for licensure as a professional land surveyor must consist of:

(a) An 8-hour examination on the fundamentals of land surveying that must cover the subject matter of a general land-surveying education or training. If the applicant for licensure as a professional land surveyor has 15 years or more of experience in land surveying, the examination on the fundamentals of land surveying may be waived. For the purposes of determining the years of experience of an applicant for licensure as a professional land surveyor pursuant to this paragraph, the board shall consider graduation from a land-surveying curriculum that is approved by the board to be equivalent to 4 years of experience.

(b) An 8-hour examination on the principles and practices of land surveying.

2. An applicant for licensure as a professional land surveyor must pass the examination on the fundamentals of land surveying or receive a waiver of that requirement before he may take the examination on the principles and practices of land surveying.

3. The board may administer or authorize an accredited college or university that offers a program in land surveying approved by the board to administer the examination on the fundamentals of land surveying to persons who are not applicants for licensure as professional land surveyors in this state.

4. The board may prescribe or limit the use of notes, texts and reference materials by applicants who are taking the examinations.

5. The board may require the examinations or any portion of the examinations set forth in this section to be completed:

(a) In writing, with a pen or pencil of a type that has been approved by the board;

(b) With a computer that has been provided or approved by the board; or

(c) Orally, in the manner prescribed by the board.

[Part 14:198:1919; added 1947, 797; A 1951, 459; 1955, 391]—(NRS A 1965, 1326; 1967, 951; 1989, 784; 1997, 1045)

NRS 625.290 Examination: Passing grade. [Replaced in revision by NRS 625.384.]

NRS 625.295 Certificate of registration: Issuance; contents; effect. [Replaced in revision by NRS 625.381.]

NRS 625.300 Issuance of license to land surveyor registered in another state. [Replaced in revision by NRS 625.382.]

NRS 625.305 Issuance of certificate to land-surveying intern certified in another state. Repealed. (See chapter 295, Statutes of Nevada 1997, at page 1071.)

NRS 625.320 Oaths: Administration; record.

1. Every professional land surveyor may administer and certify oaths when:

(a) It is necessary to take testimony for the identification or establishment of old, lost or obliterated corners;

(b) A corner or monument is found in a perishable condition; or

(c) The importance of a survey makes it desirable to administer oaths to his assistants for the faithful performance of their duty.

2. A record of oaths must be prepared as part of the field notes of the survey, and a memorandum of them must be made on the record of survey to be filed under this chapter.

[Part 15:198:1919; added 1947, 797; A 1949, 639; 1953, 196; 1955, 391]—(NRS A 1989, 785)

NRS 625.325 Seal of professional land surveyor: Contents; rubber stamp authorized. [Replaced in revision by NRS 625.383.]

NRS 625.330 Authorized practice; use of seal; prohibited acts. [Replaced in revision by NRS 625.565.]

NRS 625.335 Entry upon land or water to perform duties: Notice; approval.

1. A surveyor may enter public or private land, a water course or a body of water to:

(a) Investigate, recover, establish, reestablish, rehabilitate, perpetuate or use evidence of a boundary location.

(b) Locate, relocate, use, install or replace a survey monument.

(c) Perform land or control surveying.

2. Before entering private land pursuant to subsection 1, a surveyor must provide written notice to the owner or occupant of the land of the proposed date and approximate time of entry upon the land and a statement of the purpose for entry upon the land. The notice must include the name, number of the license and business affiliation of the surveyor. The surveyor shall obtain the approval of the owner or occupant of the land before entry. An owner shall not unreasonably withhold approval of such entry on his land. The provisions of this subsection are not applicable to an entry made pursuant to NRS 37.050.

3. The provisions of this section do not relieve a surveyor from any civil liability for any damage caused by his entry pursuant to subsection 1.

4. As used in this section, "surveyor" includes:

(a) A professional land surveyor or his designee.

(b) A surveyor employed by the Federal Government or an agency of the Federal Government, the State of Nevada, a political subdivision of the state or an agency of the state.

(Added to NRS by 1991, 1889; A 1997, 1048)

NRS 625.340 Record of survey: Filing; disclosures. After making a survey in conformity with the practice of land surveying, a professional land surveyor shall, within 90 days after the establishment of points or lines, file with the county recorder in the county in which the survey was made a record of survey relating to land boundaries and property lines, which discloses:

1. The result of an adjustment of a boundary line that causes a transfer of land between two abutting parcels but does not result in the creation of any additional parcels.

2. The boundary limits and configuration of any new parcel created in an industrial or commercial subdivision for which a final map has been filed previously pursuant to the provisions of chapter 278 of NRS.

3. Material evidence which, in whole or in part, does not appear on any map or record previously recorded or filed in the office of the municipal engineer, county recorder, county clerk, county surveyor, or in the Bureau of Land Management of the Department of the Interior.

4. A material discrepancy with a map or record described in subsection 3.

5. Evidence that, by reasonable analysis, might result in alternate positions of points or lines.

6. The establishment of one or more lines not shown on any map or record described in subsection 3, the positions of which are not ascertained from an inspection of the record or map without trigonometric calculations.

[Part 15:198:1919; added 1947, 797; A 1949, 639; 1953, 196; 1955, 391]—(NRS A 1989, 785)

#### REVISER'S NOTE.

In revised subsec. 3, "or in the Bureau of Land Management of the Department of the Interior." replaced "or in the general land office of the United States." NRS 625.350 Record of survey: Form and contents.

1. A record of survey must be a map legibly drawn in waterproof ink on tracing cloth or produced by the use of other materials of a permanent nature generally used for that purpose in the engineering profession. The size of each sheet must be 24 by 32 inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of 1 inch at the top, bottom and right edges, and 2 inches at the left edge along the 24-inch dimension.

2. A record of survey must show:

(a) All monuments found, set, reset or replaced, describing their kind, size and location and giving other data relating thereto.

(b) Bearing or witness monuments, the basis of bearings, bearing and length of lines and the scale of the map.

(c) The name and legal description of the tract in which the survey is located and any ties to adjoining tracts.

(d) The tie to the control network maintained by the National Geodetic Survey of the National Oceanic and Atmospheric Administration, if points of the network are established in the area in which the survey is made.

(e) A memorandum of oaths, if any.

(f) The signature and validated stamp of the surveyor who performed the survey.

(g) A certificate prepared by the surveyor indicating:

(1) The person or entity for whom the survey was performed;

(2) The general vicinity of the property being surveyed;

(3) The date the survey was completed;

(4) Whether monuments were found or set and, if so, their character and location as shown; and

(5) Any other pertinent information.

(h) Any other data necessary for the interpretation of the various items and locations of the points, lines and areas shown.

3. If the land surveyed is described in terms of area, the record of the survey must show the area of the land surveyed in the following manner:

(a) In acres, calculated to the nearest one-hundredth of an acre, if the area is 2 acres or more; or

(b) In square feet, if the area is less than 2 acres.

4. As used in this section, "control network" means a system of coordinates that defines latitude, longitude, height, scale, gravity and orientation throughout the United States.

[Part 15:198:1919; added 1947, 797; A 1949, 639; 1953, 196; 1955, 391]-(NRS A 1960, 138; 1985, 899, 1691; 1993, 1195; 1997, 1048)

#### NEVADA CASES.

Survey not rendered invalid by fact that one line is left open. Survey is not rendered invalid by fact that one line of survey is left open, where beginning and end of that line are given. *Alford v. Dewin*, 1 Nev. 207 (1865)

NRS 625.360 When record of survey not required. A record of survey is not required of any professional land surveyor when a final map is recorded in compliance with the provisions of chapter 278 of NRS not later than 120 days after the establishment of points or lines.

[Part 15:198:1919; added 1947, 797; A 1949, 639; 1953, 196; 1955, 391]-(NRS A 1977, 1527; 1989, 786)

NRS 625.370 Record of survey: Charge for filing and indexing; filing by county recorder.

1. The charge for filing and indexing any record of survey is \$17.

2. The record of survey must be suitably filed by the county recorder and he shall keep proper indexes of such survey records by name of tract, subdivision or United States land subdivision.

[Part 15:198:1919; added 1947, 797; A 1949, 639; 1953, 196; 1955, 391]-(NRS A 1977, 1527; 1981, 214; 1993, 1358)

NRS 625.380 Requirements for monuments.

1. Monuments set must be sufficient in number and durability and efficiently placed so as not to be readily disturbed to ensure, together with monuments already existing, the perpetuation of facile reestablishment of any point or line of the survey.

2. Any monument set by a professional land surveyor to mark or reference a point on a property or boundary line must be permanently and visibly marked or tagged with the number of the license of the professional land surveyor setting it, each number to be preceded by the letters "P.L.S."

[Part 15:198:1919; added 1947, 797; A 1949, 639; 1953, 196; 1955, 391]—(NRS A 1989, 786; 1997, 1049)

#### MISCELLANEOUS PROVISIONS

NRS 625.381 Licenses: Issuance; content; effect.

1. The board shall issue a license to practice professional engineering or land surveying to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this chapter concerning professional engineers or professional land surveyors, respectively.

2. A license to practice professional engineering or land surveying must:

(a) Show the full name of the licensee.

(b) Include the number of the license.

(c) Be signed by the chairman and executive director under the seal of the board.

(d) Authorize the practice of professional engineering in the discipline for which the applicant has qualified or the practice of land surveying, respectively.

3. The issuance of a license to practice professional engineering or land surveying by the board is evidence that the person named thereon is entitled to all the rights and privileges of a professional engineer or professional land surveyor, respectively, while the license remains unrevoked or unexpired.

(Added to NRS by 1967, 954; A 1983, 805; 1989, 784; 1997, 1046)—(Substituted in revision for NRS 625.295)

NRS 625.382 Issuance of license to licensee of another state.

1. The board may issue a license to practice professional engineering or land surveying to an applicant, upon presentation of evidence that he is licensed to practice professional engineering or land surveying, respectively, and in good standing in a state, territory, possession of the United States or country that maintains standards of engineering or land-surveying licensure, equivalent to those in Nevada, if the applicant, in the judgment of the board, has the necessary qualifications pursuant to the provisions of this chapter.

2. The board may require an applicant for licensure as a professional engineer or professional land surveyor pursuant to subsection 1 to pass a written or oral examination conducted by not less than three professional engineers or professional land surveyors, respectively.

[Part 14:198:1919; added 1947, 797; A 1951, 459; 1955, 391]—(NRS A 1965, 1326; 1997, 1046)—(Substituted in revision for NRS 625.300)

NRS 625.383 Stamp.

1. Each professional engineer and professional land surveyor shall obtain a stamp of the design authorized by the board, bearing his name and the number of his license and the legend "Professional Engineer" followed by the discipline for which he is qualified or the legend "Professional Land Surveyor," respectively.

2. A professional land surveyor shall not use the legend "Professional Engineer."

(Added to NRS by 1961, 312; A 1965, 1327; 1989, 785; 1997, 1047)–(Substituted in revision for NRS 625.325)

NRS 625.384 Minimum grade required on each examination for licensure or certification. To qualify for licensure as a professional engineer or professional land surveyor or for certification as an engineer intern or land surveyor intern, an applicant must receive a grade of not less than 70 on each examination required by the board.

[Part 14:198:1919; added 1947, 797; A 1951, 459; 1955, 391]–(NRS A 1979, 1100; 1989, 784; 1995, 46; 1997, 1046)–(Substituted in revision for NRS 625.290)

NRS 625.385 Engineer intern and land surveyor intern: Certification; authorized practice; credit toward required experience.

1. The board shall certify as an engineer intern or land surveyor intern any person qualified pursuant to the provisions of this chapter.

2. A person certified as an engineer intern or land surveyor intern pursuant to subsection 1 may practice only engineering or land surveying, respectively, as a subordinate. Any work performed by an engineer intern or land surveyor intern may, if deemed of a satisfactory nature by the board, be applied toward the requirements for experience set forth in NRS 625.183 and 625.270 for certification as an engineer intern or land surveyor intern, respectively.

(Added to NRS by 1989, 777; A 1995, 47; 1997, 1049)

NRS 625.386 Qualifications for certification as land surveyor intern or engineer intern.

1. To be eligible for certification as a land surveyor intern, an applicant must:

(a) Be a graduate of or in his final year of a land-surveying or engineering curriculum of 4 years or more that has been approved by the board and have passed the examination on the fundamentals of land surveying provided for in NRS 625.280; or

(b) Have had 4 years or more of experience in land-surveying work that is satisfactory to the board and have passed the examination on the fundamentals of land surveying provided for in NRS 625.280.

2. To be eligible for certification as an engineer intern, an applicant must:

(a) Be a graduate of or in his final year of an engineering curriculum of 4 years or more that has been approved by the board and have passed the examination on the fundamentals of engineering provided for in NRS 625.193; or

(b) Have had 4 years or more of experience in engineering work that is satisfactory to the board and have passed the examination on the fundamentals of engineering provided for in NRS 625.193.

(Added to NRS by 1979, 1099; A 1995, 46; 1997, 1045)–(Substituted in revision for NRS 625.275)

NRS 625.387 Payment of child support: Statement by applicant for license or certificate; grounds for denial of license or certificate; duty of board. [Expires by limitation on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for the issuance or renewal of a license as a professional engineer or professional land surveyor or a certificate as an engineer intern or land surveyor intern shall submit to the board the statement prescribed by the welfare division of the department of human resources pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The board shall include the statement required pursuant to subsection 1 in:

- (a) The application or any other forms that must be submitted for the issuance or renewal of the license or certificate; or
- (b) A separate form prescribed by the board.

3. A license as a professional engineer or a professional land surveyor or a certificate as an engineer intern or land surveyor intern may not be issued or renewed by the board if the applicant:

- (a) Fails to submit the statement required pursuant to subsection 1; or
- (b) Indicates on the statement submitted pursuant to subsection 1 that he is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by 1997, 2113)

NRS 625.390 Application for licensure: Contents; fees; renewal; penalty for late renewal. [Effective until the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for licensure as a professional engineer or professional land surveyor or for certification as an engineer intern or land surveyor intern must:

- (a) Complete a form furnished and prescribed by the board;
- (b) Answer all questions on the form under oath;
- (c) Provide a detailed summary of his technical training and education;
- (d) Pay the fee established by the board; and
- (e) Submit the statement required pursuant to NRS 625.387.

2. The applicant must include his social security number on the form furnished and prescribed by the board pursuant to subsection 1.

3. Unless the requirement is waived by the board, an applicant for licensure must provide the names of not less than four references who have knowledge of the background, character and technical competence of the applicant. None of the persons named as references may be members of the board. If the applicant is:
  - (a) Applying for licensure as a professional engineer, the persons named as references must be professional engineers licensed in this state or any other state, three of whom must be licensed in the same discipline of engineering for which the applicant is applying for licensure.
  - (b) Applying for licensure as a professional land surveyor, the persons named as references must be professional land surveyors licensed in this state or any other state.
4. The board shall, by regulation, establish the fee for licensure as a professional engineer and professional land surveyor in an amount not to exceed \$200. The fee is nonrefundable and must accompany the application.
5. The board shall charge and collect from each applicant for certification as an engineer intern or land surveyor intern a fee fixed by the board of not more than \$100, which includes the cost of examination and the issuance of a certificate.
6. A nonresident applying for licensure as a professional engineer or professional land surveyor is subject to the same fees as a resident.
7. An applicant must furnish proof that he is a citizen of the United States or that he is lawfully entitled to remain and work in the United States.
8. The board shall require the biennial renewal of each license of a professional engineer or professional land surveyor and collect a fee for renewal of not more than \$100, prescribed by regulation of the board, except that the board may prescribe shorter periods and prorated fees in setting up a system of staggered renewals.
9. An applicant for the renewal of his license must submit with his fee for renewal the statement required pursuant to NRS 625.188.
10. In addition to the fee for renewal, the board shall require a holder of an expired license to pay, as a condition of renewal, a penalty in an amount established by regulation of the board.

[Part 3:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459; 1955, 391]—(NRS A 1961, 314; 1965, 1327; 1967, 952; 1975, 814, 975; 1977, 743; 1979, 344, 1100; 1983, 806; 1989, 786; 1991, 2244; 1993, 127; 1995, 47; 1997, 1050, 2114)

#### ADMINISTRATIVE REGULATIONS.

Licensing and registration, NAC 625.210-625.420

NRS 625.390 Application for licensure: Contents; fees; renewal; penalty for late renewal. [Effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for licensure as a professional engineer or professional land surveyor or for certification as an engineer intern or land surveyor intern must:
  - (a) Complete a form furnished and prescribed by the board;
  - (b) Answer all questions on the form under oath;
  - (c) Provide a detailed summary of his technical training and education; and
  - (d) Pay the fee established by the board.

2. Unless the requirement is waived by the board, an applicant for licensure must provide the names of not less than four references who have knowledge of the background, character and technical competence of the applicant. None of the persons named as references may be members of the board. If the applicant is:

(a) Applying for licensure as a professional engineer, the persons named as references must be professional engineers licensed in this state or any other state, three of whom must be licensed in the same discipline of engineering for which the applicant is applying for licensure.

(b) Applying for licensure as a professional land surveyor, the persons named as references must be professional land surveyors licensed in this state or any other state.

3. The board shall, by regulation, establish the fee for licensure as a professional engineer and professional land surveyor in an amount not more than \$200. The fee is nonrefundable and must accompany the application.

4. The board shall charge and collect from each applicant for certification as an engineer intern or land surveyor intern a fee fixed by the board of not more than \$100, which includes the cost of examination and the issuance of a certificate.

5. A nonresident applying for licensure as a professional engineer or professional land surveyor is subject to the same fees as a resident.

6. An applicant must furnish proof that he is a citizen of the United States or that he is lawfully entitled to remain and work in the United States.

7. The board shall require the biennial renewal of each license of a professional engineer or professional land surveyor and collect a fee for renewal of not more than \$100, prescribed by regulation of the board, except that the board may prescribe shorter periods and prorated fees in setting up a system of staggered renewals.

8. In addition to the fee for renewal, the board shall require a holder of an expired license to pay, as a condition of renewal, a penalty in an amount established by regulation of the board.

[Part 3:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459; 1955, 391]-(NRS A 1961, 314; 1965, 1327; 1967, 952; 1975, 814, 975; 1977, 743; 1979, 344, 1100; 1983, 806; 1989, 786; 1991, 2244; 1993, 127; 1995, 47; 1997, 1050, 2114, effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 625.395 Renewal of expired license. [Effective until the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Each licensee must renew his license and pay the fee for renewal. Any licensee who fails to renew his license may do so within 6 months after the date of its expiration, upon application to and with the approval of the board, and upon submission of the statement required pursuant to NRS 625.387 and payment of all required fees and penalties. The board may extend the time for renewal of the expired license. (Added to NRS by 1977, 744; A 1979, 345; 1991, 2245; 1997, 1051, 2115)

NRS 625.395 Renewal of expired license. [Effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Each licensee must renew his license and pay the fee for renewal. Any licensee who fails to renew his license may do so within 6 months after the date of its expiration, upon application to and with the approval of the board, and upon payment of all required fees and penalties. The board may extend the time for renewal of the expired license.

(Added to NRS by 1977, 744; A 1979, 345; 1991, 2245; 1997, 1051, 2115, effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 625.397 Board may require examination for reinstatement or renewal of license. The board may require any person:

1. Whose license to practice professional engineering or land surveying has expired; or
2. Who has been the subject of a disciplinary proceeding before the board, to pass a written or oral examination as a condition of reinstating or renewing his license.

(Added to NRS by 1985, 1043; A 1989, 787; 1997, 1051)

NRS 625.398 Regulations concerning continuing education for professional engineers and professional land surveyors. The board shall adopt regulations concerning continuing education for professional engineers and professional land surveyors. The regulations must include:

1. The number of hours of credit required annually;
2. The criteria used to accredit each course; and
3. The requirements for submission of proof of attendance at courses.

(Added to NRS by 1995, 50)

NRS 625.400 Replacement of revoked, lost, destroyed or mutilated license. A new license to replace any license revoked, lost, destroyed or mutilated may be issued, subject to the regulations of the board, and a charge of not more than \$40 may be made for its issuance.

[Part 12:198:1919; added 1937, 491; A 1955, 391]—(NRS A 1965, 1328; 1977, 744; 1983, 807; 1997, 1051)

NRS 625.403 Use of word "certify" or "certification" in practice of professional engineering or land surveying. The use of the word "certify" or "certification" by a professional engineer or professional land surveyor in the practice of professional engineering or land surveying constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification.

(Added to NRS by 1991, 367; A 1997, 1051)

NRS 625.405 Immunity from civil liability.

1. Any person who furnishes information concerning a licensee, an applicant for licensure, an intern or an applicant for certification as an intern in good faith and without malicious intent is immune from any civil action for furnishing that information.

2. The board, any member, employee or committee of the board, counsel, investigator, expert, hearing officer, licensee, intern or other person who assists the board in the investigation or prosecution of an alleged violation of a provision of this chapter, a proceeding concerning licensure or reissuance of a license or a criminal prosecution is immune from any civil liability for:

(a) Any decision or action taken in good faith and without malicious intent in response to information acquired by the board.

(b) Disseminating information concerning a licensee, an applicant for licensure, an intern or an applicant for certification as an intern to any other licensing board, national association of registered boards, an agency of the Federal Government or of the state, the attorney general or any law enforcement agency.

(Added to NRS by 1991, 2237; A 1997, 1051)

NRS 625.407 Conditions under which association may practice engineering or land surveying.

1. Except as otherwise provided in this section:

(a) A firm, partnership, corporation or other person engaged in or offering to engage in the practice of engineering or land surveying in this state shall employ full time at least one professional engineer or professional land surveyor, respectively, at each place of business where such work is or will be performed; and

(b) All engineering or land-surveying work done at a place of business must be performed under a professional engineer or professional land surveyor, respectively, who has been placed in responsible charge of the work and who is employed full time at that particular place of business.

2. If the only professional engineer or professional land surveyor employed full time at a place of business where engineering or land-surveying work is performed ceases to be employed at that place of business, during the 30 days next following his departure:

(a) The place of business is not required to employ full time a professional engineer or professional land surveyor; and

(b) The professional engineer or professional land surveyor placed in responsible charge of engineering or land-surveying work performed at the place of business is not required to be employed full time at that place of business.

3. Except as otherwise provided in subsection 5:

(a) A firm, partnership, corporation or other person who performs or offers to perform engineering services in a certain discipline at a particular place of business shall employ full time at that place of business a professional engineer licensed in that discipline.

(b) Each person who holds himself out as practicing a certain discipline of engineering must be licensed in that discipline or employ full time a professional engineer licensed in that discipline.

4. Architects, registered interior designers, residential designers, professional engineers and landscape architects may, in accordance with NRS 623.349, join or form a partnership, corporation, limited-liability company or other business organization or association with registrants and licensees outside of their field of practice, or with persons who are not registered or licensed.

5. The provisions of this section do not apply to a firm, partnership, corporation or other person who:

(a) Practices professional engineering for his benefit and does not engage in the practice of professional engineering or offer professional engineering services to other persons; or

(b) Is engaged in the practice of professional engineering or land surveying in offices established for limited or temporary purposes, including offices established for the convenience of field survey crews or offices established for inspecting construction.

(Added to NRS by 1989, 777; A 1993, 126; 1997, 1042, 1408)-(Substituted in revision for NRS 625.261)

#### DISCIPLINARY PROCEEDINGS

NRS 625.410 Grounds for disciplinary action. The board may take disciplinary action against a licensee, an applicant for licensure, an intern or an applicant for certification as an intern for:

1. The practice of any fraud or deceit in obtaining or attempting to obtain or renew a license or cheating on any examination required by this chapter.

2. Any gross negligence, incompetency or misconduct in the practice of professional engineering as a professional engineer or in the practice of land surveying as a professional land surveyor.

3. Aiding or abetting any person in the violation of any provision of this chapter or regulation adopted by the board.

4. Conviction of or entry of a plea of nolo contendere to:

(a) Any felony; or

(b) Any crime, an essential element of which is dishonesty, or which is directly related to the practice of engineering or land surveying.

5. A violation of any provision of this chapter or regulation adopted by the board.

6. Discipline by another state or territory, the District of Columbia, a foreign country, the Federal Government or any other governmental agency, if at least one of the grounds for discipline is the same or substantially equivalent to any ground contained in this chapter.

7. Practicing after the license of the professional engineer or professional land surveyor has expired or has been suspended or revoked.

8. Failing to comply with an order issued by the board.

9. Failing to provide requested information within 30 days after receipt of a request by the board or its investigators concerning a complaint made to the board.

[Part 12:198:1919; added 1937, 491; A 1955, 391]-(NRS A 1961, 314; 1965, 1328; 1975, 140; 1977, 744; 1985, 1046; 1989, 787; 1991, 2245; 1997, 1051)

ADMINISTRATIVE REGULATIONS.

Professional engineers and surveyors, NAC ch. 625

NRS 625.415 Suspension of license or certificate for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license or certificate. [Expires by limitation on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the board receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license as a professional engineer or professional land surveyor or a certificate as an engineer intern or land surveyor intern, the board shall deem the license or certificate issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the board receives a letter issued to the holder of the license or certificate by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license or certificate has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The board shall reinstate a license as a professional engineer or professional land surveyor or a certificate as an engineer intern or land surveyor intern that has been suspended by a district court pursuant to NRS 425.540 if the board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license or certificate was suspended stating that the person whose license or certificate was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

(Added to NRS by 1997, 2114)

NRS 625.420 Filing of charges; commencement of action.

1. Any person may file with the board a charge concerning a violation of any provision of this chapter or regulation adopted by the board against any person. The charges must be in writing and filed with the board.

2. All charges, unless dismissed by the board as unfounded or trivial, must be heard by the board within a reasonable time. An action against a person may not be commenced by the filing of a formal complaint more than 1 year after the date on which the board received the charges.

[Part 12:198:1919; added 1937, 491; A 1955, 391]—(NRS A 1975, 818; 1991, 2246; 1997, 1052)

NRS 625.425 Confidentiality of information regarding investigation.

1. Any information obtained during the course of an investigation by the board and any record of an investigation is confidential until the investigation is completed. If no disciplinary action is taken against a licensee, an applicant for licensure, an intern or an applicant for certification as an intern, or no civil penalty is imposed pursuant to NRS 625.590, the information in his investigative file remains confidential. If a formal complaint is filed, all pleadings and evidence introduced at the hearing are public records.

2. The provisions of this section do not prohibit the board or its employees from communicating and cooperating with another licensing board or any other agency that is investigating a person.

(Added to NRS by 1991, 2237; A 1997, 1052)

NRS 625.430 Hearing; notice; summary suspension of license.

1. The time and place for the hearing must be fixed by the board, and notice of the time and place of hearing must be personally served on the person against whom a complaint has been filed with the board or mailed to his last known address at least 30 days before the date fixed for the hearing.

2. The board may suspend the license of a licensee without a hearing if the board finds, based upon evidence in its possession, that the public health, safety or welfare imperatively requires summary suspension of the license and incorporates that finding in its order. If the board summarily suspends the license of a licensee, a hearing must be held within 30 days after the suspension.

[Part 12:198:1919; added 1937, 491; A 1955, 391]-(NRS A 1977, 88; 1991, 2246; 1997, 1053)

NRS 625.440 Subpoena: Issuance by board. The chairman of the board or his designee may subpoena witnesses and compel their attendance, and also may require the production of books, papers and documents relating to any investigation or hearing conducted by the board.

[Part 3:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459; 1955, 391]-(NRS A 1981, 98; 1991, 2246)

NRS 625.450 Subpoena: Issuance by district court.

1. If any person shall refuse to obey any subpoena issued by the board, or shall refuse to testify or produce any books, papers or documents, the board may present its petition to the district court of the judicial district wherein such person resides, setting forth the facts, and thereupon the district court, in a proper case, shall issue its subpoena to such person requiring his attendance before the court, and there to testify or to produce such books, papers or documents as may be deemed necessary and pertinent by the board.

2. Any person failing or refusing to obey the subpoena of the district court may be proceeded against in the same manner as for refusal to obey any other subpoena or order of the district court.

[Part 3:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459; 1955, 391]

NRS 625.460 Authorized disciplinary action. If, after a hearing, a majority of the members of the board present at the hearing vote in favor of finding the accused person guilty, the board may:

1. Revoke the license of the professional engineer or professional land surveyor or deny a license to the applicant;
2. Suspend the license of the professional engineer or professional land surveyor;
3. Fine the licensee or applicant for licensure not more than \$15,000 for each violation of a provision of this chapter or any regulation adopted by the board;
4. Place the licensee or applicant for licensure on probation for such periods as it deems necessary and, if the board deems appropriate, require the licensee or applicant for licensure to pay restitution to clients or other persons who have suffered economic losses as a result of a violation of the provisions of this chapter or the regulations adopted by the board; or
5. Take such other disciplinary action as the board deems appropriate.

[Part 12:198:1919; added 1937, 491; A 1955, 391]-(NRS A 1961, 314; 1975, 819; 1985, 1046; 1989, 788; 1991, 2247; 1993, 128; 1995, 48; 1997, 1053)

ADMINISTRATIVE REGULATIONS.

Disciplinary action, NAC 625.640, 625.645

NRS 625.470 Reissuance of revoked license. The board may reissue a license to any person whose license has been revoked if a majority of the members of the board vote in favor of reissuance.

[Part 12:198:1919; added 1937, 491; A 1955, 391]—(NRS A 1975, 819; 1997, 1053)

#### APPLICABILITY OF CHAPTER

NRS 625.480 Persons exempt from provisions of chapter concerning licensure. The following persons are exempt from the provisions of this chapter which require licensure:

1. Any subordinate of a professional engineer of this state if he acts as a subordinate.
2. Officers and employees of the United States Government who have qualified pursuant to federal regulations and have been authorized to do engineering for the Federal Government, but no such governmental officer or employee may engage in the private practice of engineering in Nevada unless he is licensed pursuant to the provisions of this chapter.

[10:198:1919; added 1937, 491; A 1955, 391]—(NRS A 1961, 314; 1965, 1328; 1975, 173, 815; 1985, 1046; 1997, 1053)

NRS 625.490 Persons exempt from provisions of chapter concerning practice of land surveying. The following persons are exempt from the provisions of this chapter concerning the practice of land surveying:

1. Any state, county, city or district employee directly responsible to a professional land surveyor.
2. Any subordinate to a professional land surveyor of this state if he acts as a subordinate.
3. Professional mining engineers engaged solely in surveys made for mining and milling purposes or facilities pertaining thereto.
4. Officers and employees of the United States Government who have qualified pursuant to federal regulations and have been authorized to make surveys for the government, but such a governmental employee shall not engage in private practice as a land surveyor in Nevada unless he is licensed pursuant to the provisions of this chapter.

[Part 13:198:1919; added 1947, 797; A 1949, 639; 1955, 391]—(NRS A 1983, 807; 1989, 788; 1997, 1054)

#### NEVADA CASES.

Surveyor for Federal Government, although not licensed in Nevada, was qualified to render opinion as expert concerning standard of care for professional land surveyor in Nevada. In negligence action against respondent who was professional land surveyor (see NRS 625.250 et seq.), district court relied upon testimony of expert witness who was surveyor for Bureau of Land Management concerning standard of care for surveyors in Nevada. Respondent's argument on appeal that witness was not qualified to render opinion as to standard of care because witness was not licensed surveyor in Nevada was rejected by supreme court because: (1) person need not be licensed to qualify as expert, but need only possess special knowledge, skill, experience, training or education relating to subject matter (see NRS 50.275); and (2) employees of Federal Government who have been authorized under federal law to conduct surveys need not be licensed in Nevada unless they are performing private surveys within state (see NRS 625.490). *Hanneman v. Downer*, 110 Nev. 167, 871 P.2d 279 (1994)

ATTORNEY GENERAL'S OPINIONS.

Legislation intended that land surveying should be separate and distinct branch of engineering. While field of professional engineering includes surveying branch, it is clear that legislation intended that land surveying should be separate and distinct branch of engineering, qualifications for practice of which must be met before license may be issued. Passage of oral or written examination is, among others, one of the qualifications that must be met. AGO 301 (11-5-1953)

NRS 625.500 Employee of public utility or architect exempt from requirements for licensure. The licensure requirements of this chapter do not apply to the employees of interstate or intrastate public utility companies while they are engaged in work for those companies or to any architect registered pursuant to the provisions of chapter 623 of NRS and who practices architecture as permitted by chapter 623 of NRS.

[Part 2:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459]-(NRS A 1965, 1329; 1975, 173; 1977, 320; 1997, 1054)

PROHIBITIONS AND PENALTIES

NRS 625.510 Board to investigate complaint or violation of chapter; prosecution of violation. t shall be mandatory upon the board:

1. To investigate any complaints or reported violations of any of the provisions of this chapter; and
2. To take the steps necessary to prosecute such violations if the board deems it necessary.

[18:198:1919; added 1955, 391]

NRS 625.520 Unlawful practice of engineering: Penalty; injunctive relief.

1. Except as otherwise provided in subsection 4, it is unlawful for:
  - (a) Any person not properly licensed or exempted in accordance with the provisions of this chapter to:
    - (1) Practice, continue to practice, solicit to practice, offer to practice or attempt to practice engineering or any discipline thereof;
    - (2) Employ, use or cause to be used any of the following terms or any combination, variation or abbreviation thereof as a professional or commercial identification, representation, claim, asset or means of advantage or benefit, namely, "engineer," "engineering," "engineered," "professional engineer" or "licensed engineer"; or

(3) Directly or indirectly employ any means which in any manner tends or is likely to create the impression on the public or any member thereof that any person is qualified or authorized to practice engineering.

(b) Any professional engineer to practice or offer to practice a discipline of professional engineering in which the board has not qualified him.

(c) Any person to present or attempt to use, as his own, the license or the stamp of another person.

(d) Any person to give any false or forged evidence of any kind to the board or any member thereof in obtaining a license.

(e) Any person to impersonate any other licensee of like or different name.

(f) Any person to attempt to use an expired, suspended or revoked license.

(g) Any person to violate any of the provisions of this chapter.

2. Whenever any person is engaging or is about to engage in any act or practice that constitutes a violation of this chapter, the district court in any county, if the court would have jurisdiction over the violation, may, upon application of the board, issue an injunction or restraining order against the act or practice pursuant to Rule 65 of the Nevada Rules of Civil Procedure.

3. This section does not prevent a contractor licensed in accordance with the provisions of chapter 624 of NRS from using the term "engineer" or "engineering" if the term is used by the state contractors' board in describing a specific classification.

4. Subparagraph (2) of paragraph (a) of subsection 1 does not apply to any corporation using such a term in its corporate name, if the corporation:

(a) Filed its articles of incorporation with the secretary of state on or before September 30, 1991; and

(b) Files with the board a written statement signed by a corporate officer under penalty of perjury in which he states that the corporation:

(1) Is not practicing or offering to practice engineering in this state; and

(2) Will not do so unless and until it is properly licensed or exempted in accordance with the provisions of this chapter.

5. Any person who violates any of the provisions of subsection 1 is guilty of a gross misdemeanor.

[6:198:1919; A 1937, 491; 1947, 797; 1955, 391]—(NRS A 1961, 315; 1967, 639, 952; 1975, 817; 1977, 1057; 1981, 1344; 1985, 1047; 1991, 2247; 1997, 1054)

NRS 625.530 Restrictions upon public works.

1. The State of Nevada or any of its political subdivisions, including a county, city or town, shall not engage in any public work requiring the practice of professional engineering or land surveying, unless the maps, plans, specifications, reports and estimates have been prepared by, and the work executed under the supervision of, a professional engineer, professional land surveyor or registered architect.

2. The provisions of this section do not:

(a) Apply to any public work wherein the expenditure for the complete project of which the work is a part does not exceed \$35,000.

(b) Include any maintenance work undertaken by the State of Nevada or its political subdivisions.

(c) Authorize a professional engineer, registered architect or professional land surveyor to practice in violation of any of the provisions of chapter 623 of NRS or this chapter.

(d) Require the services of an architect registered pursuant to the provisions of chapter 623 of NRS for the erection of buildings or structures manufactured in an industrial plant, if those buildings or structures meet the requirements of local building codes of the jurisdiction in which they are being erected.

3. The selection of a professional engineer, professional land surveyor or registered architect to perform services pursuant to subsection 1 must be made on the basis of the competence and qualifications of the engineer, land surveyor or architect for the type of services to be performed and not on the basis of competitive fees. If, after selection of the engineer, land surveyor or architect, an agreement upon a fair and reasonable fee cannot be reached with him, the public agency may terminate negotiations and select another engineer, land surveyor or architect.

[12a:198:1919; added 1947, 797; A 1949, 639; 1943 NCL § 2875.06a]—(NRS A 1967, 953; 1971, 774; 1973, 1700; 1975, 208; 1977, 320; 1983, 807; 1989, 788; 1997, 1055)

NRS 625.540 Unlawful practice of land surveying; penalty.

1. It is unlawful for a person who is:

(a) Not properly licensed or exempted in accordance with the provisions of this chapter to:

(1) Practice, continue to practice, solicit to practice, offer to practice or attempt to practice land surveying;

(2) Set, reset or replace any survey monument; or

(3) Directly or indirectly employ any means which in any manner tends or is likely to create the impression on the public or any member thereof that any person who is not licensed pursuant to this chapter is qualified or authorized to practice land surveying.

(b) To present or attempt to use, as his own, the license or stamp of another person.

(c) To give any false or forged evidence of any kind to the board or any member thereof in obtaining a license.

(d) To impersonate any other licensee of the same or a different name.

(e) To attempt to use an expired, suspended or revoked license.

(f) To violate any of the provisions of this chapter.

2. A person who violates any of the provisions of subsection 1 is guilty of a gross misdemeanor.

[Part 13:198:1919; added 1947, 797; A 1949, 639; 1955, 391]—(NRS A 1987, 972; 1991, 2248; 1997, 1056)

ATTORNEY GENERAL'S OPINIONS.

Legislation intended that land surveying be separate and distinct branch of engineering. While field of professional engineering includes surveying branch, it is clear that legislation intended that land surveying should be separate and distinct branch of engineering, qualifications for practice of which must be met before license may be issued. Passage of oral or written examination is, among others, one of the qualifications that must be met. AGO 301 (11-5-1953)

NRS 625.550 Intentional removal or defacement of monument unlawful; penalty.

1. Any person who intentionally removes, changes or defaces any monument that has been properly established and marked by a professional land surveyor as required by this chapter, is guilty of a public offense, as prescribed in NRS 193.155, proportionate to the value of the loss resulting therefrom, but in no event less than a misdemeanor.

2. For purposes of this section, the "value of the loss resulting therefrom" means the cost of restoring or replacing the monuments which have been removed, changed or defaced.

[Part 13:198:1919; added 1947, 797; A 1949, 639; 1955, 391]—(NRS A 1967, 639; 1989, 789)

NRS 625.560 Unlawful signing or stamping of document concerning land surveying. It is unlawful for any person to sign or stamp any map, plat, report, description or other document pertaining to the practice of land surveying unless he holds an unsuspended and unrevoked license as a professional land surveyor.

[Part 15:198:1919; added 1947, 797; A 1949, 639; 1953, 196; 1955, 391]-(NRS A 1961, 316; 1989, 789; 1991, 2248; 1997, 1056)

NRS 625.565 Unlawful use of signature or stamp of professional engineer or professional land surveyor; regulations; penalty.

1. A professional land surveyor may practice land surveying and prepare:

(a) Maps, plats, reports and descriptions; and

(b) Grading and drainage plans for residential subdivisions containing four lots or less,

or other documentary evidence in connection therewith.

2. It is unlawful for a professional land surveyor to sign or stamp any map, plat, report, description, grading and drainage plan or other document relating to land surveying which was not prepared by him or for which he did not have responsible charge of the work.

3. It is unlawful for a professional engineer to sign or stamp any plans, specifications or reports that were not prepared by him or for which he did not have responsible charge of the work.

4. It is unlawful for any person to impress any documents with the stamp of a professional engineer or professional land surveyor after the license of the professional engineer or professional land surveyor named on the stamp has expired or has been suspended or revoked, unless his license has been renewed or reissued.

5. It is unlawful for any person to impress any documents with the stamp of a professional engineer or professional land surveyor after the professional engineer or professional land surveyor has retired from the practice of professional engineering or land surveying.

6. The board shall, by regulation, prescribe additional requirements relating to the signing and stamping of documents produced by a professional engineer or a professional land surveyor.

7. A person who violates any of the provisions of this section is guilty of a gross misdemeanor.

[Part 15:198:1919; added 1947, 797; A 1949, 639; 1953, 196; 1955, 391]-(NRS A 1961, 314; 1965, 1327; 1975, 1165; 1989, 785; 1991, 2244, 2470; 1993, 627, 628; 1997, 1047)-(Substituted in revision for NRS 625.330)

ADMINISTRATIVE REGULATIONS.

Stamps, seals and signatures on documents, NAC 625.610

Standards of practice for land boundary surveys, NAC 625.650-625.750

NRS 625.570 Public officer or employee prohibited from engaging in private practice of professional engineering or land surveying during certain hours. Any employee or officer who is employed on a full-time basis by the state, or a county, city or district thereof, who is paid a monthly or annual salary for his employment and whose public duty includes the practice of professional engineering or the practice of land surveying as defined in this chapter shall not engage in the private practice of professional engineering or the private practice of land surveying during the hours when he is required to perform his duties for the state, county, city or district.

[15:198:1919; added 1949, 639; 1943 NCL § 2875.05f]—(NRS A 1961, 316; 1975, 1164; 1997, 1056)

NRS 625.580 Violation of chapter by public officer; penalties. If a public officer violates a provision of this chapter, the board shall impose a fine in an amount not to exceed \$5,000 and may require the public officer to forfeit his office.

[12b:198:1919; added 1949, 639; 1943 NCL § 2875.06b]—(NRS A 1967, 640; 1997, 1056)

NRS 625.590 Additional civil penalty.

1. In addition to any other penalty provided by law, a person who violates any provision of this chapter or any regulation adopted by the board is subject to a civil penalty of not more than \$15,000 for each violation. Any such penalty must be imposed by the board at a hearing for which notice has been given pursuant to

NRS 625.430.

2. If a person does not pay a civil penalty imposed pursuant to subsection 1 within 60 days after the order of the board becomes final, the order may be executed upon in the same manner as a judgment issued by a court.

(Added to NRS by 1991, 2237; A 1997, 1057)