

BUSINESS OCCUPATIONS AND PROFESSIONS

TITLE – 15 LAND SURVEYORS

UPDATES

## Statute Text

### Article - Business Occupations and Professions

§15-305.

(a) In addition to the other qualifications for a license to practice land surveying, an applicant shall qualify under this section by meeting the educational, experience, and examination requirements set forth in subsection (b), (c), (d), (e), or (f) of this section.

(b) An applicant qualifies under this section if the applicant:

(1) has graduated on completion of at least a 4-year curriculum in land surveying that the Board approves from a college or university that is accredited by, or is a constituent unit of an institution accredited by, the Middle States Association of Colleges and Schools or the equivalent regional accrediting association of other regional areas;

(2) has at least 2 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(3) has passed the following examinations:

(i) fundamentals of surveying;

(ii) the principles and practice of surveying; and

(iii) unless excused by the Board, State-specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(c) (1) An applicant qualifies under this section if the applicant:

(i) has graduated on completion of at least a 4-year curriculum in physical sciences or applied sciences from a college or university that is accredited by, or is a constituent unit of an institution accredited by, the Middle States Association of Colleges and Schools or the equivalent regional accrediting association of other regional areas;

(ii) subject to paragraph (2) of this subsection, has at least 4 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(iii) has passed the following examinations:

1. fundamentals of surveying;

2. the principles and practice of surveying; and

3. unless excused by the Board, State-specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(2) For each 30 semester hours or its equivalent that an applicant completes in land surveying-related courses that the Board approves, the Board may allow a 1-year credit towards the experience requirements of paragraph (1)(ii) of this subsection for a maximum of 3 years.

(d) (1) An applicant qualifies under this section if the applicant:

(i) has graduated on completion of at least a 4-year curriculum from a college or university that is accredited by, or is a constituent unit of an institution accredited by, the Middle States Association of Colleges and Schools or the equivalent regional accrediting association of other regional areas;

(ii) has a minimum of 30 credit hours of land surveying-related courses that the Board approves;

(iii) subject to paragraph (2) of this subsection, has at least 4 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(iv) has passed the following examinations:

1. fundamentals of surveying;

2. the principles and practice of surveying; and

3. unless excused by the Board, State-specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(2) For each additional 30 semester hours or its equivalent that an applicant completes in land surveying-related courses that the Board approves, the Board may allow a 1-year credit towards the experience requirements of paragraph (1)(iii) of this subsection for a maximum of 3 years.

(e) (1) An applicant qualifies under this section if the applicant:

(i) is a high school graduate or the equivalent;

(ii) has a minimum of 30 credit hours of land surveying-related courses that the Board approves;

(iii) subject to paragraph (2) of this subsection, has at least 6 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(iv) has passed the following examinations:

1. fundamentals of surveying;

2. the principles and practice of surveying; and

3. unless excused by the Board, State-specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(2) For each additional 30 semester hours or its equivalent that an applicant completes in land surveying-related courses that the Board approves, the Board may allow a 1-year credit towards the experience requirements of paragraph (1)(iii) of this subsection for a maximum of 3 years.

(f) (1) An applicant qualifies under this section if the applicant:

(i) applies for a license on or before December 31, 2025;

(ii) is a high school graduate or the equivalent;

(iii) subject to paragraph (2) of this subsection, has at least 9 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(iv) has passed the following examinations:

1. fundamentals of surveying;

2. the principles and practice of surveying; and

3. unless excused by the Board, State-specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(2) For each 30 semester hours or its equivalent that an applicant completes in land surveying-related courses that the Board approves, the Board may allow a 1-year credit towards the experience requirements of paragraph (1)(iii) of this subsection for a maximum of 3 years.

## Statute Text

### Article - Business Occupations and Professions

§15-307.

(a) Except as otherwise provided in § 15-307.1 of this subtitle, an applicant who otherwise qualifies for a license is entitled to be examined as provided in this section.

(b) The Board periodically shall give the examinations required under this subtitle to qualified applicants at the times and places that the Board determines.

(c) The Board shall give each qualified applicant notice of the time and place of examination.

(d) As provided for applicants for a license to practice land surveying under § 15-305 of this subtitle, the Board shall give the following separate examinations:

(1) the fundamentals of surveying;

(2) the principles and practice of surveying; and

(3) unless excused by the Board, State-specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(e) (1) The Board shall determine the subjects, scope, and form of and method of grading and passing scores for the examinations given under this subtitle.

(2) The Board shall structure the examinations to test the ability of an applicant to design, plan, and direct land surveying in order to ensure the safety of life, health, and property.

## Statute Text

### Article - Business Occupations and Professions

§15-307.1.

(a) The Board may use a testing service to administer the examinations given under this title.

(b) If the Board uses a testing service, the testing service, subject to the requirements set by the Board, may:

- (1) set the time and place of examinations;
- (2) give qualified applicants notice of the time and place of examinations; and
- (3) furnish any other information that the Board may require the testing service to provide.

## Statute Text

### Article - Business Occupations and Professions

§15-308.

(a) If an applicant fails an examination given under this subtitle, the Board or its designee shall provide notice of the failure to the applicant.

(b) (1) Subject to this subsection, an applicant who fails an examination may review the applicant's examination in accordance with the Council's review policies unless the policies have been otherwise amended by the Board.

(2) To conduct a review under this subsection, an applicant shall submit a written request to the Board within 60 days after the date the applicant is notified of the applicant's failure of the examination.

(3) An applicant who does not request review in accordance with paragraph (2) of this subsection waives the right to review under this subsection.

(c) The Board shall confirm the test score of any applicant who fails an examination given under this subtitle if the applicant submits a written request to the Board.

## Statute Text

### Article - Business Occupations and Professions

§15-311.

(a) Subject to the provisions of this section, the Board may waive any examination requirement or any part of an examination requirement of this subtitle for an individual who is licensed to practice land surveying in another state.

(b) The Board may grant a waiver under this section only if the applicant:

(1) is of good character and reputation;

(2) pays to the Board:

(i) the nonrefundable application fee set by the Board under § 15-306 of this subtitle; and

(ii) the license fee set by the Board; and

(3) provides adequate evidence that, at the time the applicant was licensed by the other state, the applicant met requirements that were equivalent to those then required by the laws of this State.

(c) The Board may require an applicant under this section to:

(1) pass the State-specific part of an examination; and

(2) pass any part of a nationally administered examination that the applicant has previously failed.

## Statute Text

### Article - Business Occupations and Professions

§15-309.

(a) Subject to this section, if an applicant fails an examination given under this subtitle, the applicant may retake the examination in accordance with the Council's reexamination policies unless the policies have been otherwise amended by the Board.

(b) An applicant for reexamination shall:

(1) submit to the Board a request for reexamination on the form that the Board provides; and

(2) pay to the Board or the Board's designee a reexamination fee set by the Board in § 15-306(a)(2) of this subtitle.

(c) The Board may adopt regulations to set conditions for retaking examinations, including requirements that an applicant:

(1) wait a reasonable period after failing an examination; and

(2) provide evidence acceptable to the Board of updated experience or education.

(d) (1) A reexamination fee paid under subsection (b)(2) of this section is not refundable.

(2) If an applicant does not take the reexamination that the applicant asked to take, the Board shall credit that fee toward any reexamination that the applicant later takes.

## Statute Text

### Article - Business Occupations and Professions

§15-312.

(a) If an applicant qualifies for a license under this subtitle, the Board shall send the applicant a notice that states that:

(1) the applicant has qualified for a license; and

(2) the Board will issue a license to the applicant, on receipt of a license fee set by the Board.

(b) On payment of the license fee, the Board shall issue a license to each applicant who meets the requirements of this subtitle.

(c) The Board shall include on each license that the Board issues:

(1) the full name of the licensee;

(2) the registration number assigned by the Board to the licensee; and

(3) the signatures of the chairman and secretary of the Board, under seal of the Board.

(d) Subject to any regulation that the Board adopts, it shall replace any lost, mutilated, or destroyed license certificate on:

(1) request of the licensee; and

(2) payment of the replacement fee set by the Board.

## **Statute Text**

### **Article - Business Occupations and Professions**

§15-313.

(a) While a license to practice land surveying is in effect, it authorizes the licensee to practice land surveying.

(b) While a license to practice property line surveying is in effect, it authorizes the licensee to practice property line surveying.

## Statute Text

### Article - Business Occupations and Professions

§15-314.

(a) Unless a license is renewed for a 2-year term as provided in this section, the license expires on the first June 30 that comes:

- (1) after the effective date of the license; and
- (2) in an odd-numbered year.

(b) (1) At least 1 month before a license expires, the Board shall mail or electronically transmit to the licensee:

- (i) a renewal application form; and
- (ii) a notice that states:
  1. the date on which the current license expires; and
  2. the amount of the license fee.

(2) If an electronic transmission under paragraph (1) of this subsection is returned to the Board as undeliverable, the Board shall mail to the licensee, at the last known address of the licensee, the materials required under paragraph (1) of this subsection within 10 business days of the date the Board received the notice that the electronic transmission was undeliverable.

(3) The failure of a licensee to receive the notice for which this subsection provides does not prevent the license from expiring as specified under subsection (a) of this section.

(c) Before a license expires, the licensee periodically may renew it for an additional 2-year term, if the licensee:

- (1) otherwise is entitled to be licensed;
- (2) pays to the Board a license fee set by the Board; and
- (3) submits to the Board a renewal application on the form that the Board provides.

(d) (1) The Board shall renew the license of and issue a renewal certificate to each licensee who meets the requirements of this section.

(2) The Board shall include on each renewal certificate that the Board issues:

- (i) the date on which the current license expires; and
- (ii) the signatures of the chairman and secretary of the Board, under seal of the Board.

(e) The Secretary may determine that licenses issued under this subtitle shall expire on a staggered basis.

(f) The Board shall adopt regulations to require a demonstration of continuing professional competency for a licensee as a condition of renewal of a license under this section in accordance with the following:

(1) a continuing professional competency requirement does not apply to the first renewal of a license;

(2) if a license expires on or before September 30, 2002, a professional land surveyor or licensed property line surveyor is not required to fulfill the continuing professional competency requirement;

(3) if a license expires between October 1, 2002 and September 30, 2003, a professional land surveyor or licensed property line surveyor is required to fulfill 50 percent of the continuing professional competency requirement as provided in the regulations adopted by the Board under this subsection; and

(4) if a license expires on or after October 1, 2003, a professional land surveyor or licensed property line surveyor is required to fulfill the full continuing professional competency requirement as provided in the regulations adopted by the Board under this subsection.

## Statute Text

### Article - Business Occupations and Professions

§15–315.

(a) The Board shall reinstate the license of an individual who, for any reason, has failed to renew the license if the individual:

- (1) applies to the Board for reinstatement within 2 years after the license expires;
- (2) meets the renewal requirements of § 15–314 of this subtitle; and
- (3) except as otherwise provided in subsection (d) of this section, pays to the Board a reinstatement fee set by the Board.

(b) (1) If an individual has failed to renew a license to practice land surveying for any reason and then applies to the Board for reinstatement more than 2 years after the license has expired, the Board:

- (i) may require the individual to reapply for a license in the same manner as an applicant applies for an original license under this subtitle; or
- (ii) subject to paragraph (2) of this subsection, may reinstate the license.

(2) The Board may reinstate a license under paragraph (1) of this subsection only if the individual:

- (i) meets the renewal requirements of § 15–314 of this subtitle;
- (ii) if required by the Board, states reasons why reinstatement should be granted; and
- (iii) except as otherwise provided in subsection (d) of this section, pays to the Board a reinstatement fee set by the Board.

(c) (1) If an individual has failed to renew a license to practice property line surveying for any reason and then applies to the Board for reinstatement more than 2 years after the license has expired, the Board, subject to paragraph (2) of this subsection, may reinstate the license.

(2) The Board may reinstate a license under paragraph (1) of this subsection only if the individual:

- (i) meets the renewal requirements of § 15–314 of this subtitle;
- (ii) if required by the Board, states reasons why reinstatement should be granted; and
- (iii) except as otherwise provided in subsection (d) of this section, pays to the Board a reinstatement fee set by the Board.

(d) The Board may waive a reinstatement fee for a licensee who provides evidence satisfactory to the Board that the licensee did not practice land surveying or property line surveying, as appropriate, during the time the license lapsed.

## Statute Text

### Article - Business Occupations and Professions

§15-402.

(a) Except as provided in subsection (b) of this section, a corporation, partnership, or limited liability company shall hold a permit issued by the Board before the corporation, partnership, or limited liability company may operate a business through which land surveying or property line surveying is practiced.

(b) A corporation, partnership, or limited liability company may provide land surveying or property line surveying services for itself or for an affiliated corporation, partnership, or limited liability company without a permit issued by the Board.

## Statute Text

### Article - Business Occupations and Professions

§15-316.

(a) The Board may issue a retired status license to an individual who:

(1) is currently licensed in Maryland as a professional land surveyor or a property line surveyor;

(2) has been either licensed as a professional land surveyor or a property line surveyor or was authorized to practice land surveying or property line surveying under § 15-303 of this subtitle for at least 25 years, of which 5 years were in Maryland;

(3) is not the subject of a pending disciplinary action related to the practice of land surveying or property line surveying in this or another state;

(4) submits to the Board an application on the form provided by the Board; and

(5) pays to the Board a fee, as set by the Board.

(b) (1) The holder of a retired status license issued under this section may not engage in the practice of professional land surveying or property line surveying.

(2) The holder of a professional land surveyor retired status license may use the designation of "retired professional land surveyor".

(3) The holder of a property line surveyor retired status license may use the designation of "retired property line surveyor".

(c) The Board may reactivate the license of a retired status license if that individual:

(1) submits to the Board an application for reactivation on the form approved by the Board;

(2) meets all continuing competency requirements, not exceeding 48 credit hours, that would have been required for renewal of a license under § 15-314 of this subtitle if the licensee had not been placed on retired status;

(3) pays to the Board a reactivation fee as set by the Board; and

(4) is not the subject of a pending disciplinary action related to the practice of land surveying or property line surveying in this or any other state.

## Statute Text

### Article - Business Occupations and Professions

#### §15-402.1.

(a) To qualify for a permit, a corporation, partnership, or limited liability company shall meet the requirements of this section.

(b) (1) A corporation, partnership, or limited liability company shall appoint at least one person in responsible charge of the professional land surveying or property line surveying services performed or offered to be performed through the corporation, partnership, or limited liability company.

(2) A person in responsible charge shall be:

(i) in direct control of professional land surveying or property line surveying services performed or offered to be performed through the corporation, partnership, or limited liability company;

(ii) in a position to act on behalf of, and be responsible for, the corporation, partnership, or limited liability company in matters related to the practice of professional land surveying or property line surveying; and

(iii) a professional land surveyor or licensed property line surveyor in good standing.

(3) A licensee may not be designated as a person in responsible charge for more than one corporation, partnership, or limited liability company that provides or offers to provide professional land or property line surveying services without the prior approval of the Board.

## Statute Text

### Article - Business Occupations and Professions

§15-403.

(a) An applicant for a permit shall:

- (1) submit to the Board an application on the form that the Board provides; and
- (2) pay to the Board a nonrefundable application fee set by the Board.

(b) In addition to any other information required on an application form, the form shall require the following:

- (1) the name and address of at least one person in responsible charge of land surveying or property line surveying services performed or offered to be performed through the corporation, partnership, or limited liability company; and
- (2) evidence acceptable to the Board that a person in responsible charge is an employee, an owner, a director, an officer, a member, or a partner, as applicable, of the entity seeking a permit.

## Statute Text

### Article - Business Occupations and Professions

§15-406.

(a) Unless a permit is renewed for a 2-year term as provided in this section, the permit expires on the first June 30 that comes:

- (1) after the effective date of the permit; and
- (2) in an odd-numbered year.

(b) (1) At least 1 month before a permit expires, the Board shall mail or electronically transmit to the permit holder:

- (i) a renewal application form; and
- (ii) a notice that states:
  1. the date on which the current permit expires; and
  2. the amount of the permit fee.

(2) If an electronic transmission under paragraph (1) of this subsection is returned to the Board as undeliverable, the Board shall mail to the permit holder, at the last known address of the permit holder, the materials required under paragraph (1) of this subsection within 10 business days of the date the Board received the notice that the electronic transmission was undeliverable.

(c) Before a permit expires, the permit holder periodically may renew it for an additional 2-year term, if the holder:

- (1) submits to the Board a renewal application on the form that the Board provides; and
- (2) pays to the Board a permit fee set by the Board.

(d) The renewal application form shall require the same information required on the original application form under § 15-403(b) of this subtitle.

(e) The Board shall renew the permit of each permit holder who meets the requirements of this section.

## Statute Text

### Article - Business Occupations and Professions

§15-407.

Within 1 month after the effective date of the change or occurrence, a permit holder shall notify the Board in writing if there has been a change in:

(1) the identity of the person in responsible charge of land surveying or property line surveying services performed or offered to be performed through the corporation, partnership, or limited liability company; or

(2) the name of the corporation, partnership, or limited liability company.

## Statute Text

### Article - Business Occupations and Professions

§15-408.

(a) Subject to the hearing provisions of § 15-409 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a permit to any applicant, reprimand a permit holder, or suspend or revoke a permit if:

(1) the applicant or permit holder fraudulently or deceptively obtains or attempts to obtain a permit; or

(2) the permit holder fraudulently or deceptively uses a permit.

(b) (1) In addition to a sanction imposed under subsection (a) of this section, the Board may impose a penalty not exceeding \$5,000 for:

(i) each violation for which a denial, reprimand, suspension, or revocation was imposed under subsection (a) of this section; and

(ii) each failure to meet or continue to meet the qualifications or requirements set forth in this subtitle.

(2) To determine the amount of the penalty imposed under this subsection, the Board shall consider:

(i) the seriousness of the violation;

(ii) the harm caused by the violation;

(iii) the good faith of the permit holder or the applicant; and

(iv) any history of previous violations by the permit holder or the applicant.

(c) The Board shall pay any penalty collected under subsection (b) of this section into the General Fund of the State.

## Statute Text

### Article - Business Occupations and Professions

§15-409.

(a) Except as otherwise provided in § 10-226 of the State Government Article, before the Board takes any final action under § 15-408 of this subtitle, it shall give the person against whom the action is contemplated an opportunity for a hearing before the Board.

(b) The Board shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) At least 30 days before the hearing, the hearing notice and a copy of the complaint shall be:

(1) served personally on the applicant or on a person in responsible charge of land surveying or property line surveying practiced through the entity holding the permit or a person designated as a resident agent to receive process on behalf of the entity; or

(2) mailed to the last known business address of the entity holding the permit.

(d) If, after due notice, the person against whom the action is contemplated fails or refuses to appear, the Board may hear and determine the matter.

## Statute Text

### Article - Business Occupations and Professions

§15-411.

A corporation, partnership, or limited liability company whose permit has been suspended or revoked under § 15-408 of this subtitle may not offer or provide land surveying or property line surveying services until the suspension is lifted or the permit is reinstated.

## Statute Text

### Article - Business Occupations and Professions

§15-402.

(a) Except as provided in subsection (b) of this section, a corporation, partnership, or limited liability company shall hold a permit issued by the Board before the corporation, partnership, or limited liability company may operate a business through which land surveying or property line surveying is practiced.

(b) A corporation, partnership, or limited liability company may provide land surveying or property line surveying services for itself or for an affiliated corporation, partnership, or limited liability company without a permit issued by the Board.

## Statute Text

### Article - Business Occupations and Professions

§15-412.

(a) Subject to the provisions of this section, the Board may reinstate:

(1) a permit that has been revoked; or

(2) before fulfillment of the conditions of the suspension, a permit that has been suspended.

(b) A permit may be reinstated under this section only if:

(1) the corporation, partnership, or limited liability company whose permit has been revoked or suspended submits a written request to the Board; and

(2) the corporation, partnership, or limited liability company pays to the Board a reinstatement fee set by the Board.

(c) The Board, by an affirmative vote of a majority of its members then serving, shall vote on the request for reinstatement or lifting of the suspension within 60 days of receipt of the written request.

## Statute Text

### Article - Business Occupations and Professions

§15-413.

The Board may reinstate the permit of a corporation, partnership, or limited liability company that has failed to renew the permit for any reason if the corporation, partnership, or limited liability company:

- (1) otherwise is entitled to a permit; and
- (2) pays to the Board a reinstatement fee set by the Board.

## Statute Text

### Article - Business Occupations and Professions

§15-410.

(a) (1) For the limited purpose set forth in paragraph (2) of this subsection, a permit shall remain in effect and does not expire by operation of law while the permit holder is under investigation by the Board or awaiting a hearing or disposition on charges subject to disciplinary action under this subtitle.

(2) An extension of a permit term under this subsection is effective only for the purpose of retaining the jurisdiction of the Board over the permit holder during the course of disciplinary proceedings and does not prevent the permit from expiring for any other purpose.

(b) Unless the Board agrees to accept the surrender, a permit holder may not surrender a permit while the holder is under investigation or awaiting a hearing or disposition on charges subject to disciplinary action under this subtitle.

## **Statute Text**

### **Article - Business Occupations and Professions**

§15-414.

After the Board reinstates a permit, the permit holder shall continue to comply with all applicable requirements set forth in this subtitle.