RULES OF PROFESSIONAL CONDUCT
FOR SURVEYORS
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PREAMBLE

In order to establish and maintain a high standard of integrity, skill and practice in the profession of Land Surveying, the following rules of professional conduct shall be binding upon every person holding a certificate of licensure as a Land Surveyor, and all agents, employees or partners of a person holding a certificate of licensure.

The rules as set forth herein are specifically intended to implement the laws and regulations governing the practice of land surveying and to further safeguard the property and public welfare of the citizens of the State of Minnesota. These rules shall be deemed to be a reasonable exercise of the enforcement power vested in the Board of Directors of the Minnesota Society of Professional Surveyors by virtue of its Bylaws and are adopted in accordance with the powers granted herein.

A land surveyor who holds a certificate of licensure from the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design is charged with knowledge of the Rules of Professional Conduct for Land Surveyors as herein after set forth or as such rules may be amended from time to time. In the exercise of the privileges granted by the certificate of licensure, the land surveyor shall conform his or her professional conduct in accordance with the provisions of the Rules of Professional Conduct hereinafter set forth.

STANDARDS OF INTEGRITY

A land surveyor shall be governed in all professional relations by the highest standards of ethics and integrity and shall act in all professional matters for each client or employer as a faithful agent or trustee, with due consideration for the rights of others adjoining each client or employer.

A land surveyor shall steadfastly protect the safety, health and welfare of the public in the performance of the land surveyor's professional duties.

PUBLIC STATEMENTS

Except as a land surveyor may be required to testify before a competent court of law, a hearing conducted by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design or by the Ethics Committee of this Society;

1. A land surveyor shall not engage in any public disputes or controversy relating to fees or the professional practices of another land surveyor.

2. A land surveyor shall not publicly express an opinion concerning a land surveying subject unless the land surveyor has been adequately informed of the facts necessary to form a sound opinion of the subject.

3. A land surveyor shall at all times strive to maintain the honor and dignity of the profession and shall make no public statements concerning land surveying, land surveyors or surveying practices which would tend to bring discredit to any land surveyor or
the profession of land surveying.

TRUTH IN REPORTS AND TESTIMONY
1. A land surveyor shall not be untruthful, deceptive or misleading in any professional report, statement or testimony, whether or not under oath, nor shall the land surveyor knowingly omit relevant and pertinent information from such report, statement or testimony when the results of such omission would or reasonably could lead to a fallacious conclusion.

2. A land surveyor, as an expert witness before any court, commission or other tribunal, shall express an opinion only when it is founded upon adequate knowledge of the facts, and upon an honest conviction of the accuracy and propriety of the land surveyor's testimony. Under such circumstances, where a land surveyor determine a lack of adequate knowledge, the land surveyor shall so state this lack of adequate knowledge of the facts at issue.

CONFLICT OF INTEREST
1. Employment: A land surveyor should avoid employment where duty to the employer would conflict with the interest of the land surveyor or another employer. Prior to accepting employment, a land surveyor shall disclose to a prospective employer such facts as may, in the opinion of the land surveyor, give rise to a possible conflict of interest.

2. Compensation: A land surveyor shall not accept compensation for services relating or pertaining to the same project from more than one party unless there is a unity of interest between or among the parties to the project and unless the land surveyor makes full disclosure and obtains the express consent of all parties from whom compensation will be received.

3. Gifts: A land surveyor shall not, directly or indirectly, solicit or accept any compensation, gratuity or item of value from contractors, their agents or other persons dealing with the client or employer in connection with the work for which the land surveyor has been retained.

IMPROPER SOLICITATION OF EMPLOYMENT
1. A land surveyor shall seek and engage in only the professional work or employment the land surveyor is qualified to perform on the basis of, the land surveyors education, training, and experience.

2. A land surveyor shall not solicit to replace another land surveyor on any project.

3. A land surveyor shall not accept employment to review the work of or to replace another land surveyor, except with the express knowledge of the other land surveyor or unless the employment of such other land surveyor has been terminated by the client.

4. A land surveyor shall not falsify or misrepresent the extent of his or her education, training, or experience to any person or to the public, nor shall the land surveyor misrepresent the extent of his or her responsibility in connection with any prior employment.

5. A land surveyor may prepare a brochure or other written materials for the purpose of informing the public or any prospective employer of his or her education, training or experience, provided that such brochure or written materials shall not contain any false or misleading information concerning the land surveyor's own education, training or experience or that of the land surveyors employer, employees, associations or joint ventures.

6. A land surveyor shall not tender any gift, pay, or offer to pay, directly or indirectly, any thing of value, whether in a form of a commission or otherwise, as an inducement to secure employment as a land surveyor; provided that this rule shall not prohibit a land surveyor from paying a commission to a licensed employment agency for securing a salaried position.

7. A land surveyor who is regularly employed by a governmental office or agency and who accepts private part time employment shall not use the equipment or facilities of such governmental office or agency in connection with such part time employment. A land surveyor who is regularly employed by another land surveyor in full time practice and who accepts other part time employment shall not, without the express consent of the land surveyor's regular employer, use the employers (a) equipment; (b) time to do research or mapping; or office to seek or accept part time work.

PERSONAL CONDUCT
1. A land surveyor shall avoid any act which may diminish public confidence in the surveying profession and shall, at all times, conduct himself or herself so as to maintain its reputation for professional integrity.

2. A land surveyor shall not act in any manner or engage in any practice which will tend to bring discredit
FALSE OR MALICIOUS STATEMENTS

A land surveyor shall make no false or malicious statements, or do any other act, which may have the effect, directly or indirectly or by implication, of injuring the personal or professional reputation or business of another land surveyor.

KNOWLEDGE OF IMPROPER CONDUCT BY OTHERS

1. A land surveyor who has knowledge or reasonable grounds for believing that another land surveyor has violated any of the provisions of these Rules of Professional Conduct, shall have the duty of presenting such information to the Minnesota Society of Professional Surveyors Board of Directors. A land surveyor who has knowledge or reasonable grounds for believing that another land surveyor has violated any statute or rule regulating the practice of land surveying shall have the duty of presenting such information to the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design.

2. A land surveyor, when questioned concerning any alleged violation of these Rules of Professional Conduct, on the part of another land surveyor by any member or authorized representative of the Minnesota Society of Professional Surveyors Board of Directors commissioned or delegated to conduct an official inquiry, shall neither fail nor refuse to divulge such information as the land surveyor may have relative to the alleged violations.

3. A land surveyor, when questioned concerning any alleged violation of any statute or rule regulating the practice of land surveying on the part of another land surveyor by any member or authorized representative of the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design commissioned or delegated to conduct an official inquiry, shall neither fail nor refuse to divulge such information as the land surveyor may have relative to the alleged violation.

ASSOCIATIONS AND USE OF NAME

A land surveyor shall not knowingly associate with or permit the use of his or her name or firm in a business venture by any person(s) or firm(s) which the land surveyor either knows or has reasonable belief that they are engaging in business or professional practices of a fraudulent or dishonest nature.

ACTION BY OTHER JURISDICTIONS

Conviction of a felony without restoration of civil rights, or the revocation or suspension of a land surveyor or Certificate of Licensure by another jurisdiction, if for cause which in the State of Minnesota would constitute a violation of law or of these Rules, shall be deemed to be a violation of these Rules of Professional Conduct. Any land surveyor adjudged mentally incompetent by a court of competent jurisdiction shall, until restored to mental competency, be deemed to be incompetent to practice land surveying within the meaning of Section 326.11, Subd. 2, and shall forfeit membership as a licensed member in the Society.

ADVERTISING AND PUBLICITY

1. A land surveyor, shall not use or participate in the use of any form of public communication containing a false, fraudulent, misleading or deceptive statement or claim.

2. A false, fraudulent, misleading or deceptive statement or claim may include, but is not necessarily limited to, language used which:

   (a) Contains a misrepresentation of fact.

   (b) Is likely to mislead or deceive because in context it makes only partial disclosure of relevant facts.

   (c) Is intended or is likely to create false or unjustified expectations of favorable results.

   (d) Contains other representations or implications that in reasonable probability will cause an ordinary prudent person to misunderstand or be deceived.

STANDARDS FOR CONDUCTING PROPERTY SURVEYS

All land survey work shall be performed in conformity with the accuracy required in Minnesota Platting Requirements in Section 505.02 or as such requirements be further amended from time to time and such standards for property surveys as may be adopted by the Minnesota Society of Professional Surveyors, American Land Title Association and American Congress on Surveying and Mapping.