Memorandum

TO: Mr. Patrick Beehler, Chairman, External Affairs committee, National Society of Professional Surveyors

FROM: Dr. C.A. “Tony” Nettleman, III, Chairman, ABA Sub-Committee, National Society of Professional Surveyors

CC:

DATE: July 30, 2016

SUBJECT: Update on ABA Sub-Committee

Dear Chairman Beehler:

This memo provides an overview of the activities of the ABA Sub-Committee in the 2016 calendar year.

Overall, there have been few legislative or judicial issues affecting NSPS members. The most important legal-related changes have been the new “drone” law that becomes effective August 29, 2016 and the concerns that realtors may be describing or guaranteeing the property boundaries of the houses they are buying or selling.

The first primary issue, 14 CFR 107, was adopted by the FAA during the summer of 2016. This new law substantially lowers the burden of commercial Unmanned Aerial Systems (UAS) operators by only requiring that non-pilots take a 60 question proctored exam and current pilots take a 25 question online quiz. While drone operations are limited to 400 feet AGL, line of sight, and under 55 pounds, the necessary administrative paperwork and wait time have been cut from up to a year to not requiring any preapproval. It is the recommendation of this committee that NSPS members be educated on the new law as soon as possible.

The second primary issue, the concern that realtors are determining property boundaries that their buyers and sellers are relying on, was brought to my attention in May 2016. The concern is that property owners are making purchasing, selling and other important decisions based on the boundaries shown to them by their realtor. President Cavell sent a letter to the National Association of Realtors (NAR) encouraging that organization to place within its Code of Ethics and Standards of Practice language (similar to current language therein associated with legal practice) regarding improper behavior by Realtors related to matters of surveying. To my knowledge, we are still awaiting a reply from NAR.

I will continue to monitor state and national legislative and judicial changes and keep you apprised of any important developments.

If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,

Dr. Tony Nettleman