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## DIGEST

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HB 713 Engrossed

2024 Regular Session

Gadberry

**Abstract:** Provides relative to the practice of land surveying and the practice of engineering.

Present law provides the definition of "the practice of land surveying" to include the measuring of areas, land surfaces, streams, bodies of water, and swamps for correct determination and description, for the establishment, reestablishment, ascertainment, or description of land boundaries, corners, divisions, distances, and directions, the plotting and monumenting of lands and subdivisions thereof, and mapping and topographical work.

Present law provides that a person shall be construed to practice or offer to practice land surveying who engages in land surveying and who by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be a land surveyor, or who represents himself as able to perform or who does perform any land surveying service or work, or any other service designated by the practitioner which is recognized as land surveying

Proposed law removes present law.

Proposed law defines "the practice of land surveying" to mean providing, or offering to provide, professional services using such sciences as mathematics, geodesy, and photogrammetry, and involving both of the following:

- (1) The making of geometric measurements and gathering related information pertaining to the physical or legal features of the earth, improvements on the earth, the space above, on, or below the earth, or within bodies of water, whether the making of measurements or the gathering of information for the providing of these services is accomplished by conventional ground measurements, by photography, by Light Detection and Ranging (LIDAR), by global positioning via satellites, or by a combination of any of these methods; and
- (2) Providing, utilizing, or developing the same into survey products such as graphics, data, maps, plans, reports, descriptions, or projects.

Proposed law provides that professional services include acts of consultation, investigation, testimony, evaluation, expert technical testimony, planning, mapping, assembling, and interpreting gathered measurements and information related to any one or more of the following:

- (1) Determining, by measurement, the configuration or contour of the earth's surface or the position of fixed objects thereon.

- (2) Determining, by performing geodetic surveys, the size and shape of the earth or the position of any point on the earth.
- (3) Locating, relocating, establishing, reestablishing, or retracing property lines or boundaries of any tract of land, road, right-of-way, servitude, or easement.
- (4) Making any survey for the division, subdivision, or consolidation of any tract of land.
- (5) Locating or laying out alignments, positions, or elevations for the construction of fixed works, when the location of the fixed works has a direct relationship to a property boundary.
- (6) Determining, by the use of principles of land surveying, the position for any survey monument, boundary or geodetic, or reference point; establishing or replacing any such monument or reference point.
- (7) Creating, preparing, or modifying electronic, computerized, or other data, relative to the performance of activities in proposed law.

Proposed law provides that a person shall be construed to practice land surveying if he does any of the following:

- (1) Engages in or holds himself out as able and entitled to practice land surveying.
- (2) Represents himself to be a professional land surveyor by verbal claim, sign, advertisement, letterhead, card, or in any other way.
- (3) Through the use of some other title, implies that he is a professional land surveyor or licensed by the board.

Present law provides what present and proposed law shall not be construed to prevent or to affect.

Proposed law adds that present and proposed law shall not be construed to prevent or to affect the practice of photogrammetry, when performed by a photogrammetrist holding an active photogrammetrist certification from the American Society of Photogrammetry and Remote Sensing.

Proposed law adds that present and proposed law shall not be construed to prevent or to affect the practice of remote sensing, when performed by a remote sensing professional holding an active mapping scientist-remote sensing certification from the American Society for Photogrammetry and Remote Sensing.

Proposed law adds that present and proposed law shall not be construed to prevent or to affect the practice of providing geographic information system or land information system design or services, when performed by a geographic information system or land information system professional holding either an active mapping scientist-Geographic Information System (GIS) or Land Information System (LIS) certification from the American Society for Photogrammetry and Remote

Sensing or an active GIS professional certification from the GIS Certification Institute.

Proposed law adds that present and proposed law shall not be construed to prevent or to affect the practice of providing Light Detection and Ranging (LIDAR) system design or services, when performed by a photogrammetrist or LIDAR professional holding an active mapping scientist-LIDAR certification from the American Society for Photogrammetry and Remote Sensing.

Proposed law adds that present and proposed law shall not be construed to prevent or to affect the practice of providing Unmanned Aerial System (UAS) design or services, when performed by a photogrammetrist or UAS professional holding an active mapping scientist-UAS certification from the American Society for Photogrammetry and Remote Sensing.

Proposed law adds that present and proposed law shall not be construed to prevent or to affect the practice of geoscience, when performed by a geoscientist holding an active license from the La. Board of Professional Geoscientists.

Present law defines "engineer" or "professional engineer" and "practice of engineering".

Proposed law deletes the definitions in present law and defines "engineer" or "professional engineer" and "practice of engineering" to be the same as provided for in present law.

(Amends R.S. 37:682(14) and 711.2(4), (12), and (14); Adds R.S. 37:702(8))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Delete the definitions of "engineer" or "professional engineer" and the "practice of engineering" in present law and add the definitions outlined in other present law.