
Colorado Revised Statutes 2020
TITLE 12
PROFESSIONS AND OCCUPATIONS
ARTICLE 120: LAND SURVEYORS

Editor's note: This title 12 was repealed and reenacted, with relocations, in 2019. This article 120 was numbered as article 25 of this title 12 prior to 2019. Former C.R.S. section numbers are shown in editor's notes following those sections that were relocated. For a detailed comparison of this title 12, see the comparative tables located in the back of the index or <https://leg.colorado.gov/sites/default/files/images/olls/title-12-2019-table.pdf>.

Cross references: For the responsibilities of engineers and architects concerning the obtaining of underground facilities information prior to excavation, see § 9-1.5-103; for the statute of limitations for actions against engineers and architects, see § 13-80-104; for the statute of limitations for actions against land surveyors, see § 13-80-105; for provisions regarding geology and the definition of "professional geologist", see part 2 of article 41 of title 23; for surveys and boundaries, see articles 50 to 53 of title 38; for public policy concerning accurate land boundaries and public records relating thereto, see § 38-53-101.

Cross references: For practicing a profession or operating a business without a license, see § 16-13-306; for rule-making procedures and license suspension and revocation procedures by state agencies, see article 4 of title 24; for an alternative disciplinary action for persons licensed, registered, or certified pursuant to this title 12, see § 24-34-106; for disposition of money collected under this title 12, see §§ 24-35-101 and 24-36-103.

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PART 1: GENERAL PROVISIONS

12-120-101. Applicability of common provisions. Articles 1 and 20 of this title 12 apply, according to their terms, to this article 120.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 870, § 1, effective October 1.

12-120-102. Definitions. As used in this article 120, unless the context otherwise requires:

(1) "Board" means the state board of licensure for architects, professional engineers, and professional land surveyors, created in section 12-120-103.

(2) "Surveyor quorum of the board" means not less than the three professional land surveyor members of the board and one of the nonengineering, non-land surveyor members of the board.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 870, § 1, effective October 1.

Editor's note: Subsection (1) is similar to former §§ 12-25-102 (1), 12-25-202 (1.5), and 12-25-302 (2); and subsection (2) is similar to former § 12-25-202 (12), as those sections existed prior to 2019.

12-120-103. State board of licensure for architects, professional engineers, and professional land surveyors - creation - composition - appointment of members - terms - meetings - program director and staff - subject to review - repeal of article. (1) **Board creation.** A state board of licensure for architects, professional engineers, and professional land surveyors is hereby created, the duty of which shall be to administer the provisions of this article 120, including the duties and powers specified in section 12-120-104.

(2) **Sunset.** This article 120 is repealed, effective September 1, 2024. Before the repeal, this article 120 is scheduled for review in accordance with section 24-34-104.

(3) **Board composition.** The board shall consist of thirteen members. Four members shall be professional engineers, with no more than two of the four engaged in the same discipline of engineering service or practice; three members shall be practicing professional land surveyors; three members shall be practicing licensed architects; and three members shall be citizens of the United States and residents of this state for at least one year who have not practiced architecture, engineering, or land surveying.

(4) (a) **Professional engineer members.** Each professional engineer member of the board shall be a citizen of the United States and a resident of this state for at least one year and shall have been licensed as a professional engineer and practicing as such for at least five years.

(b) **Professional land surveyor members.** (I) A professional land surveyor who is a member of the board shall be a citizen of the United States and a resident of Colorado for at least one year.

(II) A professional land surveyor who is designated as a land surveyor member of the board shall have been licensed as a land surveyor for at least five years.

(III) Notwithstanding subsection (6) of this section, the board shall have a surveyor quorum of the board. The surveyor quorum shall advise the board concerning issues relating to land surveyors. The surveyor quorum of the board shall elect or appoint annually a chair, a vice-chair, and a secretary.

(c) **Architect members.** To be eligible for membership on the board, an architect shall be:

(I) A United States citizen and a resident of Colorado for at least one year; and

(II) A licensed architect in the state of Colorado and have practiced architecture for at least three years prior to the appointment.

(5) **Governor appointments.** (a) Appointments to the board shall be made by the governor and shall be made to provide for staggering of terms of members so that not more than three members' terms expire each year. Thereafter appointments shall be for terms of four years. Each board member shall hold office until the expiration of the term for which the member is appointed or until a successor has been duly appointed and qualified. Appointees shall be limited to two full terms. The governor may remove any member of the board for misconduct, incompetence, or neglect of duty.

(b) **Appointments of professional land surveyor members.** (I) The governor, in making appointments of professional land surveyors to the board, shall endeavor to select the highest qualified members of the profession willing to serve on the board. Staggered appointments shall be made so that not more than one professional land surveyor member's term expires in any one year, and thereafter appointments shall be for terms of four years each.

(II) In the event of a professional land surveyor vacancy on the board due to resignation, death, or any cause resulting in an unexpired term, the governor shall fill the vacancy promptly to allow the surveyor quorum of the board to function.

(c) **Appointments of architect members.** (I) The governor, in making appointments of architects to the board, shall endeavor to select the most highly qualified members of the profession willing to serve on the board. Staggered appointments shall be made so that not more than one member's term expires in any one year, and thereafter appointments shall be for terms of four years each.

(II) In the event of an architecture vacancy on the board due to resignation, death, or any cause resulting in an unexpired term, the governor shall fill such vacancy promptly.

(d) **Certificate of appointment.** Each appointee shall receive a certificate of appointment from the governor.

(6) The board shall hold at least six regular meetings each year. Special meetings shall be held at such times as the bylaws of the board may provide. The board shall elect annually a chair, a vice-chair, and a secretary. A quorum of the board shall consist of not less than seven members.

(7) The director of the division shall appoint a program director for the board and such other personnel as are deemed necessary for the board to perform its statutory duties, pursuant to section 13 of article XII of the state constitution.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 870, § 1, effective October 1.

Editor's note: Subsection (1) is similar to former § 12-25-106 (1); subsection (2) is similar to former § 12-25-106 (2); subsection (3) is similar to former § 12-25-106 (3); subsection (4)(a) is similar to former § 12-25-106 (4); subsection (4)(b)(I) is similar to former § 12-25-206 (1); subsection (4)(b)(II) is similar to former § 12-25-206 (2); subsection (4)(b)(III) is similar to former § 12-25-206 (3); subsection (4)(c) is similar to former § 12-25-306 (1); subsection (5)(a) is similar to former § 12-25-106 (5); subsection (5)(b)(I) is similar to former § 12-25-206 (4); subsection (5)(b)(II) is similar to former § 12-25-206 (5); subsection (5)(c)(I) is similar to former § 12-25-306 (2); subsection (5)(c)(II) is similar to former § 12-25-306 (3); subsection (5)(d) is similar to former § 12-25-106 (6); subsection (6) is similar to former § 12-25-107 (1)(i); and subsection (7) is similar to former § 12-25-106 (7), as those sections existed prior to 2019.

12-120-104. Powers and duties of the board and division. (1) **General powers and duties.** In order to carry into effect the provisions of this article 120, the board shall:

- (a) Adopt rules pursuant to section 12-20-204;
- (b) In addition to rules adopted pursuant to section 12-20-204, adopt:
 - (I) Rules for disciplining licensed architects; and
 - (II) Rules of professional conduct for professional engineers, professional land surveyors, and architects under the provisions of section 24-4-103. The rules of professional conduct for professional engineers shall be published, and such publication shall constitute due notice to all professional engineers.
- (c) Keep a record of its proceedings and of all applications for licensing under this article 120. The application record for each applicant shall include:
 - (I) Name, age, and residence of the applicant;
 - (II) Date of application;
 - (III) Place of business of the applicant;
 - (IV) Education of the applicant;
 - (V) (A) For an applicant for an engineering license, the applicant's engineering experience;
 - (B) For an applicant for a land surveyor license, the applicant's surveying and other applicable experience;
 - (C) For an applicant for an architect license, the applicant's architecture and other applicable experience;
 - (VI) For land surveyor and architect applicants, the type of examination required;
 - (VII) Date and type of action taken by the board; and
 - (VIII) Such other information as may be deemed necessary by the board.
- (d) Make available through printed or electronic means the following:
 - (I) Statutes administered by the board for each of the professions regulated under this article 120;
 - (II) A list of the names and addresses of record of all currently licensed professional engineers, professional land surveyors, and architects;
 - (III) Rules of the board;
 - (IV) Such other pertinent information as the board deems necessary; and
 - (V) The rules of professional conduct adopted pursuant to subsection (1)(b)(II) of this section; and

(e) Adopt and have an official seal.

(2) **Board powers and duties regarding professional engineers.** For purposes of administering part 2 of this article 120 pertaining to the regulation of professional engineers, the board shall:

(a) Provide information to the public regarding the requirements for compliance with part 2 of this article 120;

(b) Provide for examinations of professional engineer license applicants in the "fundamentals of engineering" and the "principles and practice of engineering". Examinations shall be given as often as practicable. The board shall ensure that the passing score for any examination is set to measure the level of minimum competency. An applicant who fails to pass the prescribed examination may be reexamined.

(c) Participate in the affairs of the National Council of Examiners for Engineering and Surveying and send a minimum of one delegate to the national meeting annually.

(3) **Board powers and duties regarding professional land surveyors.** For purposes of administering part 3 of this article 120 pertaining to the regulation of professional land surveyors, the board shall:

(a) Require each applicant for professional land surveyor licensing to demonstrate competence by means of examination and education and may require work examples as it deems necessary and sufficient for licensing; and

(b) Provide for and administer examinations to applicants for professional land surveyor licensing to be given as often as practicable. Examinations must be identified only by numbers and anonymously graded. After reviewing and approving the examination results, the board shall record and communicate each examinee's examination results to the examinee. The board shall ensure that the passing score on surveying examinations is set to measure the level of minimum competency. The board shall publish and make available to interested applicants a list of the subjects included in the surveying examinations that are developed by the board, which subjects must be consistent with and related to the various aspects of surveying.

(4) **Board powers and duties regarding architects.** For purposes of administering part 4 of this article 120 pertaining to the regulation of architects, the board is authorized to:

(a) Examine and license duly qualified applicants for architect licensure, and renew the licenses of duly qualified architects;

(b) Conduct hearings upon complaints concerning the conduct of architects;

(c) Cause the prosecution of all persons violating part 4 of this article 120 by the district attorney or by the attorney general pursuant to section 12-20-405 (4); and

(d) Require every licensed architect to have a stamp as prescribed by the board.

(5) **Division to employ investigators.** The division may employ at least one investigator qualified to investigate complaints relative to the provisions of part 2 of this article 120 and at least one investigator to investigate complaints relative to the provisions of part 3 of this article 120.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 872, § 1, effective October 1.

Editor's note: This section is similar to former §§ 12-25-107, 12-25-207, and 12-25-307 as they existed prior to 2019; except that § 12-25-107 (1)(i) was relocated to § 12-120-103 (6).

12-120-105. Prior actions. (1) The board shall take over, assume, and continue all actions and requirements regarding engineers from its predecessor, the state board of registration for professional engineers and land surveyors. There shall be no legal discontinuity, and previously licensed engineers and land surveyors shall continue their licensure as professional engineers, professional land surveyors, and architects, respectively.

(2) The name change from the state board of licensure for professional engineers and professional land surveyors to the state board of licensure for architects, professional engineers, and professional land surveyors shall not be construed to change the entity. There shall be no legal discontinuity, and previously licensed engineers and land surveyors shall continue their licensure as professional engineers or land surveyors, as applicable, and any obligations of the board or of persons to the board shall not be affected by the name change.

(3) Any person holding a valid license to practice architecture in Colorado before July 1, 2006, shall be licensed under part 4 of this article 120. All official actions of the state board of examiners of architects made or taken before July 1, 2006, are expressly ratified.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 875, § 1, effective October 1.

Editor's note: Subsection (1) is similar to former §§ 12-25-119 (1) and 12-25-219 (1); subsection (2) is similar to former §§ 12-25-119 (2) and 12-25-219 (2); and subsection (3) is similar to former § 12-25-319, as those sections existed prior to 2019.

PART 3: LAND SURVEYORS

12-120-301. General provisions. In order to safeguard life, health, and property and to promote the public welfare, the practice of professional land surveying in Colorado is hereby declared to be subject to regulation. It shall be unlawful for any individual to practice professional land surveying in Colorado or to use in connection with the individual's name, or to otherwise assume, or to advertise any title or description tending to convey the impression that the individual is a professional land surveyor, unless the individual has been duly licensed or is exempted under the provisions of this part 3. The practice of professional land surveying shall be deemed a privilege granted by the state of Colorado based on the qualifications of the individual as evidenced by the individual's licensing.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 890, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-201 as it existed prior to 2019.

12-120-302. Definitions. As used in this part 3, unless the context otherwise requires:
(1) "Basic control for engineering projects" means survey markers set on or in the vicinity of a construction project to enable all components of the project to be built in

compliance with plans and specifications with respect to the project location, orientation, elevation, and relationship to property, easement, or right-of-way boundaries.

(2) "Certificate" means the media issued by the board to evidence licensing or enrollment.

(3) "Geodetic surveying" means the performance of surveys in which measure or account is taken of the shape, size, and gravitational forces of the earth to determine or predetermine the horizontal or vertical positions of points, monuments, or stations for use in the practice of professional land surveying or for stating the geodetic position of control points, monuments, or stations by using a coordinate system or derivative thereof recognized by the national geodetic survey.

(4) "Land surveyor-intern" means an individual enrolled by the board after demonstrating the individual's competency, as required by section 12-120-311.

(5) (a) "Professional land surveying" means the application of special knowledge of principles of mathematics, methods of measurement, and law for the determination and preservation of land boundaries. "Professional land surveying" specifically includes:

(I) Restoration and rehabilitation of corners and boundaries in the United States public land survey system;

(II) Obtaining and evaluating boundary evidence;

(III) Determination of the areas and elevations of land parcels;

(IV) Subdivision of land parcels into smaller parcels and layout of alignment and grades for streets or roads to serve the smaller parcels;

(V) Measuring and platting underground mine workings;

(VI) Preparation of the boundary control portions of geographic information systems and land information systems except as allowed otherwise by section 38-51-109.3;

(VII) Establishment, restoration, and rehabilitation of land survey monuments and bench marks;

(VIII) Preparation of land survey plats, condominium plats, monument records, property descriptions that result from the practice of professional land surveying, and survey reports;

(IX) Surveying, monumenting, and platting of easements and rights-of-way;

(X) Geodetic surveying;

(XI) Basic control for engineering projects; and

(XII) Any other activities incidental to and necessary for the adequate performance of the services described in this subsection (5)(a).

(b) An individual practices or offers to practice "professional land surveying" within the meaning and intent of this part 3 if the individual engages therein or, by oral claim, sign, letterhead, or card or in any other way holds himself or herself out to be a professional land surveyor or as being able to perform any professional land surveying service or if the individual performs any professional land surveying service or work.

(c) Professional land surveying may include other types of surveying.

(6) "Professional land surveyor" means an individual who practices professional land surveying and who is currently licensed with the board after demonstrating competency to practice, as required by section 12-120-313.

(7) "Responsible charge" means personal responsibility for the control and direction of professional land surveying work.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 890, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-202 as it existed prior to 2019; except that § 12-25-202 (12) was relocated to § 12-120-102 (2).

12-120-303. Exemptions. (1) This part 3 shall not be construed to prevent or to affect:

- (a) The work of an employee or subordinate of a professional land surveyor if the work is performed under the responsible charge of the professional land surveyor;
- (b) The practice of employees of the federal government duly authorized under 43 U.S.C. sec. 772 and 43 CFR 9180.0-3, while engaged in the practice of surveying within the course of their federal employment in the state of Colorado; or
- (c) The rights of any other legally recognized profession.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 892, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-203 as it existed prior to 2019.

12-120-304. Forms of organizations permitted to practice. (1) A partnership, corporation, limited liability company, joint stock association, or other entity is not eligible for licensure under this part 3.

(2) An entity may practice or offer to practice land surveying in this state only if the individual in responsible charge of the entity's land surveying activities in this state is a professional land surveyor. All professional land surveying documents, plats, and reports issued by or for the entity must bear the seal and signature of the professional land surveyor who is in responsible charge of and directly responsible for the land surveying work.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 892, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-204 as it existed prior to 2019.

12-120-305. Unlawful practice - penalties - enforcement. (1) It is unlawful for any individual to practice or offer to practice professional land surveying in Colorado without being licensed in accordance with the provisions of this part 3, or for any individual or entity to use or employ the words "land surveyor", "land surveying", or "professional land surveyor" or words of similar meaning or any modification or derivative except as authorized in this part 3.

(2) It is unlawful for any individual, partnership, professional association, joint stock company, limited liability company, or corporation to practice, or offer to practice, land surveying in this state unless the individual in responsible charge has complied with the provisions of this part 3.

(3) The practice of professional land surveying in violation of any of the provisions of this part 3 shall be either:

(a) Restrained by injunction in an action brought by the attorney general or by the district attorney in accordance with section 12-20-406; or

(b) Ceased by order of the board pursuant to section 12-20-405.

(4) Any person who practices or offers or attempts to practice professional land surveying without an active license issued under this part 3 is subject to penalties pursuant to section 12-20-407 (1)(a).

(5) It is the duty of all duly constituted officers of the law of Colorado, or any political subdivision thereof, to enforce the provisions of this part 3 and to prosecute any person violating this part 3.

(6) The attorney general or the attorney general's assistant shall act as legal advisor to the board and render timely legal assistance as may be necessary in carrying out the provisions of this part 3. With the concurrence of the attorney general, the board may employ counsel and assistance necessary to aid in the enforcement of this part 3, and the compensation and expenses therefor shall be paid from the funds of the board.

(7) Any individual practicing professional land surveying, as defined in this part 3, who is not licensed or exempt shall not collect compensation of any kind for the practice, and, if compensation has been paid, the compensation shall be refunded in full.

(8) After finding that an individual has unlawfully engaged in the practice of professional land surveying, the board may assess a fine against the unlawfully engaged individual in an amount not less than fifty dollars and not more than five thousand dollars for each violation proven by the board.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 893, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-205 as it existed prior to 2019.

12-120-306. Disciplinary actions - grounds for discipline. (1) The board may take disciplinary or other action as authorized by section 12-20-404, limit the scope of practice of, or require additional training of any professional land surveyor or land surveyor-intern for:

(a) Engaging in fraud, misrepresentation, or deceit in obtaining or attempting to obtain a license or enrollment;

(b) Failing to meet the generally accepted standards of the practice of land surveying through act or omission;

(c) A felony that is related to the ability to practice land surveying. A certified copy of the judgment of a court of competent jurisdiction of the conviction or plea shall be presumptive evidence of the conviction or plea for the purposes of any hearing under this part 3. A plea of nolo contendere, or its equivalent, accepted by the court shall be considered as a conviction.

(d) Violating, attempting to violate, or aiding or abetting the violation or attempted violation of:

(I) Any provision of this part 3, an applicable provision of article 20 of this title 12, or any provision of article 50, 51, 52, or 53 of title 38;

(II) Any rule adopted by the board in conformance with the provisions of part 1 of this article 120 or this part 3; or

(III) Any order of the board issued in conformance with the provisions of this part 3;

- (e) Using false, deceptive, or misleading advertising;
 - (f) Performing services beyond one's competency, training, or education;
 - (g) Failing to report to the board any professional land surveyor known to have violated any provision of this part 3 or any board order or rule;
 - (h) Habitual or excessive use or abuse of alcohol, controlled substances, or any habit-forming drug;
 - (i) Using any schedule I controlled substance, as set forth in section 18-18-203;
 - (j) Failing to report to the board any malpractice claim against the professional land surveyor or any partnership, limited liability company, corporation, or joint stock association of which the professional land surveyor is a member, which claim is settled or in which judgment is rendered, within sixty days after the effective date of the settlement or judgment, if the claim concerned surveying services performed or supervised by the land surveyor;
 - (k) Failing to pay any fine assessed pursuant to this part 3;
 - (l) Violating any law or regulation governing the practice of professional land surveying in another state or jurisdiction. A plea of nolo contendere or its equivalent accepted by the board of another state or jurisdiction may be considered to be the same as a finding of guilty for purposes of any hearing under this part 3.
 - (m) Attempting to use an expired, revoked, suspended, or nonexistent license, practicing or offering to practice when not qualified, or falsely claiming that the individual is licensed; or
 - (n) Using in any manner a license, license number, or certificate that has not been issued to the individual by the board.
- (2) The board may issue and send a letter of admonition by first-class mail to a professional land surveyor or land surveyor-intern at his or her last-known address under the circumstances specified in and in accordance with section 12-20-404 (4).
- (3) In addition to any other penalty that may be imposed pursuant to this section, the board may fine any professional land surveyor violating any provision of this article 120 or any rule promulgated pursuant to this article 120 not less than fifty dollars and not more than five thousand dollars for each violation proven by the board.
- (4) The board may issue a letter of concern in accordance with section 12-20-404 (5) to a professional land surveyor or land surveyor-intern based on any of the grounds specified in subsection (1) of this section without conducting a hearing as specified in section 12-120-307 when an instance of potentially unsatisfactory conduct comes to the board's attention but, in the board's judgment, does not warrant formal action by the board. Letters of concern shall be confidential and shall not be disclosed to members of the public or in any court action unless the board is a party.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 894, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-208 as it existed prior to 2019.

12-120-307. Disciplinary proceedings - injunctive relief procedure. (1) Section 12-20-403 applies to investigations and hearings under this section.

(2) The board upon its own motion may, and upon the receipt of a signed complaint in writing from any person shall, investigate the activities of any professional land surveyor, land

surveyor-intern, or other person who presents grounds for disciplinary action as specified in this part 3.

(3) All charges, unless dismissed by the board, shall be referred to administrative hearing by the board within five years after the date on which said charges were filed.

(4) (a) The board is authorized to apply for injunctive relief in accordance with section 12-20-406 to enforce the provisions of this part 3, or to restrain any violation thereof.

(b) If the board has reason to believe that any individual has engaged in, or is engaging in, any act or practice that constitutes a violation of any provision of this article 120, the board may initiate proceedings to determine if a violation has occurred.

(c) In any action brought pursuant to this subsection (4), evidence of the commission of a single act prohibited by this article 120 shall be sufficient to justify the issuance of an injunction or a cease-and-desist order.

(5) The board may issue cease-and-desist orders under the circumstances and in accordance with the procedures specified in section 12-20-405.

(6) Section 12-20-408 governs judicial review of all final actions and orders of the board that are subject to judicial review.

(7) The board may send a confidential letter of concern to a licensee under the circumstances specified in section 12-20-404 (5).

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 896, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-209 as it existed prior to 2019.

12-120-308. Reconsideration and review of board actions. The board, on its own motion or upon application, at any time after the imposition of any discipline as provided in section 12-120-307, may reconsider its prior action and reinstate or restore the license or terminate probation or reduce the severity of its prior disciplinary action. The taking of any such further action, or the holding of a hearing with respect thereto, shall rest in the sole discretion of the board.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 899, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-209.5 as it existed prior to 2019.

12-120-309. Application for licensing. (1) Each application for licensing shall be in a form specified by the board and shall contain statements made under oath showing the applicant's education and showing a detailed summary of the applicant's surveying experience. Each application must contain a statement indicating whether the applicant has ever been convicted of a felony in this or in any other state, or has ever had a surveyor's license revoked, suspended, or not renewed, or has been reprimanded or fined relative to surveying in this or any other state. Applications that are not complete are defective, and the board shall take no action on defective applications except to give notice to the applicant of the defects. A nonrefundable application fee in an amount set by the board shall accompany each application.

(2) No new application shall be required of an individual requiring reexamination by the board, and the individual shall be notified when the next examination will be held.

(3) Whenever the board is reviewing or considering the conviction of a crime, it shall be governed by the provisions of sections 12-20-202 (5) and 24-5-101.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 899, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-210 as it existed prior to 2019.

12-120-310. Eligibility for land surveyor-intern. To be eligible for enrollment as a land surveyor-intern, an applicant shall provide documentation of the applicant's technical competence.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 900, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-211 as it existed prior to 2019.

12-120-311. Qualifications for land surveyor-interns. (1) An applicant may qualify for enrollment as a land surveyor-intern by endorsement if the applicant satisfies the requirements of the occupational credential portability program.

(2) (a) An applicant may qualify for enrollment as a land surveyor-intern by graduation and examination if the applicant passes the fundamentals of surveying examination.

(b) In order to be admitted to the examination pursuant to subsection (2)(a) of this section, the applicant must have satisfied either of the following requirements:

(I) The applicant graduated from a board-approved surveying or surveying technology curriculum that is at least four years.

(II) The applicant has senior status in a board-approved surveying or surveying technology curriculum that is at least four years.

(c) Upon passing the examination and upon submission of official transcripts to the board verifying graduation or impending graduation, the applicant shall be enrolled as a land surveyor-intern if the applicant is otherwise qualified pursuant to section 12-120-310.

(3) (a) An applicant may qualify for enrollment as a land surveyor-intern by education, experience, and examination if the applicant passes the fundamentals of surveying examination.

(b) In order to be admitted to the examination pursuant to subsection (3)(a) of this section, the applicant must:

(I) (A) Have graduated from high school or the equivalent; and

(B) Have a cumulative record of four years or more of progressive land surveying experience, of which a maximum of one year of educational credit may be substituted; or

(II) (A) Have graduated from a board-approved two-year surveying curriculum; and

(B) Have a cumulative record of two years or more of progressive land surveying experience.

(c) Upon passing the examination and the submission of evidence of experience satisfactory to the board, the applicant shall be enrolled as a land surveyor-intern if the applicant is otherwise qualified pursuant to section 12-120-310.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 900, § 1, effective October 1. **L. 2020:** (1) amended, (HB 20-1326), ch. 126, p. 534, § 14, effective June 25.

Editor's note: (1) This section is similar to former § 12-25-212 as it existed prior to 2019.

(2) Section 47(1)(b) of chapter 126 (HB 20-1326), Session Laws of Colorado 2020, provides that the act changing this section applies to conduct occurring on or after June 25, 2020.

Cross references: For the short title ("Red Tape Reduction Act") and the legislative declaration in HB 20-1326, see sections 1 and 2 of chapter 126, Session Laws of Colorado 2020.

12-120-312. Eligibility for professional land surveyor. To be eligible for licensing as a professional land surveyor, an applicant shall provide documentation of technical competence.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 901, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-213 as it existed prior to 2019.

12-120-313. Qualifications for professional land surveyor. (1) An applicant may qualify for licensing as a professional land surveyor by endorsement if the applicant satisfies the requirements of the occupational credential portability program.

(2) (a) An applicant may qualify for licensing as a professional land surveyor by education, experience, and examination if the applicant passes the principles and practice of surveying examination and the examination pertaining to Colorado law.

(b) To be admitted to an examination pursuant to subsection (2)(a) of this section, the applicant shall meet the requirements stated in at least one of the following:

(I) (A) Have graduated from a board-approved surveying curriculum of four or more years; and

(B) Have two years of progressive land surveying experience under the supervision of a professional land surveyor or an exempted federal employee defined in section 12-120-303 (1)(b); and

(C) Have been enrolled as a land surveyor-intern in this state; or

(II) (A) Have graduated from a nonboard-approved surveying curriculum of four or more years; and

(B) Have four years of progressive land surveying experience of which at least two must be under the supervision of a professional land surveyor or an exempted federal employee as defined in section 12-120-303 (1)(b); and

(C) Have been enrolled as a land surveyor-intern in this state; or

(III) (A) Have graduated from a board-approved two-year surveying curriculum or from a four-year engineering curriculum that included surveying course work as specified by the board by rule; and

(B) Have six years of progressive land surveying experience of which four years shall have been under the supervision of a professional land surveyor or an exempt federal employee as defined under section 12-120-303 (1)(b); and

(C) Have been enrolled as a land surveyor-intern in this state; or

(IV) (A) Have obtained a bachelor's degree in a nonsurveying curriculum;

(B) Have completed surveying and other related course work, as specified by the board by rule;

(C) Have six years of progressive land surveying experience, of which four years shall have been under the supervision of a professional land surveyor or an exempted federal employee as defined in section 12-120-303 (1)(b); and

(D) Have been enrolled as a land surveyor-intern in this state.

(c) Upon passing the examinations and the submission of evidence of experience satisfactory to the board, the applicant shall be licensed as a professional land surveyor if the applicant is otherwise qualified pursuant to section 12-120-312.

(3) The board may allow an applicant to substitute for one year of experience the satisfactory completion of one academic year in a curriculum approved by the board. The substitution of education for experience shall not exceed three years.

(4) Repealed.

(5) (a) A professional land surveyor who has been duly licensed to practice professional land surveying in this state and who is over sixty-five years of age, upon application, may be classified as a retired professional land surveyor. Individuals who are so classified shall lose their licensure, shall not practice professional land surveying, and shall pay a fee to retain retired professional land surveyor status.

(b) (I) A retired professional land surveyor shall be reinstated to the status of a professional land surveyor upon payment of the renewal fee. No other fee shall be assessed against the retired professional land surveyor as a penalty.

(II) For any professional land surveyor who has been retired for two or more years, the board may require reexamination unless the board is satisfied of the retired professional land surveyor's continued competence.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 901, § 1, effective October 1. L. 2020: (1) amended, (HB 20-1326), ch. 126, p. 534, § 15, effective June 25.

Editor's note: (1) This section is similar to former § 12-25-214 as it existed prior to 2019.

(2) Subsection (4)(e) of this section provided for the repeal of subsection (4), effective July 1, 2020. (See L. 2010, p. 324.)

(3) Section 47(1)(b) of chapter 126 (HB 20-1326), Session Laws of Colorado 2020, provides that the act changing this section applies to conduct occurring on or after June 25, 2020.

Cross references: For the short title ("Red Tape Reduction Act") and the legislative declaration in HB 20-1326, see sections 1 and 2 of chapter 126, Session Laws of Colorado 2020.

12-120-314. Licenses. (1) The board, upon acceptance of an applicant who has demonstrated competence in professional land surveying and upon receipt of payment of the required fee, shall license and issue a unique license number to the applicant.

(2) The board, upon acceptance of a qualified land surveyor-intern and upon receipt of payment of the required fee, shall enroll the qualified land surveyor-intern.

(3) A license may be issued at any time and is subject to the renewal, expiration, reinstatement, and delinquency fee provisions specified in section 12-20-202 (1) and (2).

(4) Any person whose license has expired is subject to the penalties provided in this part 3 or section 12-20-202 (1).

(5) A professional land surveyor shall give notice to the board, in writing, of any change of address within thirty days after the change.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 903, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-215 as it existed prior to 2019.

12-120-315. Fees - disposition. (1) Pursuant to section 12-20-105, the board shall charge and collect fees for the following:

(a) With respect to professional land surveyors:

(I) Renewal of a license;

(II) Replacement of a paper certificate or renewal card, if requested by the licensee;

(III) Application for licensure pursuant to the occupational credential portability program;

(IV) Application for the principles and practice of surveying examination or the legal aspects of surveying examination;

(V) Issuance of a paper certificate of licensure, if requested by the licensee;

(VI) Late renewal of a license;

(VII) Reexamination for the principles and practice of surveying examination or the legal aspects of surveying examination;

(VIII) Reinstatement of an expired license;

(IX) Listing as a retired professional land surveyor;

(b) With respect to land surveyor-interns:

(I) Application for the fundamentals of surveying examination;

(II) Reexamination for the fundamentals of surveying examination;

(III) Application for enrollment as a land surveyor-intern pursuant to the occupational credential portability program.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 904, § 1, effective October 1. **L. 2020:** (1)(a)(III) and (1)(b)(III) amended, (HB 20-1326), ch. 126, p. 534, § 16, effective June 25.

Editor's note: (1) This section is similar to former § 12-25-216 as it existed prior to 2019.

(2) Section 47(1)(b) of chapter 126 (HB 20-1326), Session Laws of Colorado 2020, provides that the act changing this section applies to conduct occurring on or after June 25, 2020.

Cross references: For the short title ("Red Tape Reduction Act") and the legislative declaration in HB 20-1326, see sections 1 and 2 of chapter 126, Session Laws of Colorado 2020.

12-120-316. Professional land surveyor's seal - rules. (1) Upon receiving a license from the board, a professional land surveyor may obtain a crimp type seal, a rubber stamp type seal, or an electronic type seal of a design approved by the board. The seal must contain the licensed professional land surveyor's name and license number and the designation "Colorado licensed professional land surveyor". Colorado land surveyors licensed before July 1, 2004, may continue to use their prior existing seals.

(2) All documents, plats, and reports resulting from the practice of land surveying shall be identified with and bear the seal or exact copy thereof, signature, and date of signature of the land surveyor in responsible charge.

(3) A professional land surveyor shall use a seal and signature only when the work to which the seal is applied was prepared under the professional land surveyor's responsible charge.

(4) The board shall adopt rules governing use of the seal and the retention, use, and distribution of sealed documents and copies thereof.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 905, § 1, effective October 1.

Editor's note: This section is similar to former § 12-25-217 as it existed prior to 2019.

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