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CHAPTER 625 - PROFESSIONAL ENGINEERS AND SURVEYORS

GENERAL PROV	/ISIONS
<u>625.010</u>	Definitions
<u>625.011</u>	"Biennial renewal period" defined.
<u>625.012</u>	"Board" defined.
<u>625.013</u>	"Firm" defined.
<u>625.014</u>	"Licensee" defined.
<u>625.016</u>	"Professional development hour" defined.
<u>625.017</u>	"Quarter credit hour" defined.
<u>625.018</u>	"Respondent" defined.
<u>625.019</u>	"Semester credit hour" defined.
<u>625.020</u>	Engineering and land surveying licensed as separate professions.
	OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
<u>625.100</u>	Officers: Election; term; vacancies; removal.
625.110	Meetings.
<u>625.125</u>	Appointment of members emeriti.
	RTIFICATION AND REGISTRATION
<u>625.210</u>	Application for licensure or certification; fees.
<u>625.215</u>	Experience in land surveying.
<u>625.220</u>	Disciplines of engineering.
<u>625.230</u>	Applications for licensure in multiple categories or disciplines.
<u>625.240</u>	Licensure on basis of previous licensure in another jurisdiction; oral examination; written examination.
<u>625.260</u>	Licensure as structural engineer required for certain activities; exceptions.
625.310	Examinations: Generally.
<u>625.320</u>	Examinations: Land surveyor intern.
<u>625.330</u>	Examinations: Notice to appear; failure to appear
625.340	Examinations: Withdrawal
<u>625.350</u>	Examinations: Reapplication after failing written examination.
<u>625.360</u>	Examinations: Reapplication after failing oral examination.
625.410	Expiration and renewal of licensure.
625.420	Retired or inactive status of licensee; reinstatement to active status.
625.425	Registration of firm: Application; requirements; renewal; fees.
CONTINUING EI	
625.430	Requirements for renewal of license.
<u>625.440</u>	Exceptions to requirements for renewal of license.
<u>625.450</u>	Waiver of requirements for renewal of license.
625.460	Inactive status: Requirements for renewal of identification card.
<u>625.470</u>	Assignment of professional development hours to certain activities.
625.480	Proof of completion of professional development hours; form
625.490	Notification of failure to complete required number of professional development hours.
CODE OF COND	
<u>625.510</u>	Fundamental principles.
<u>625.520</u>	Relations with the public.
<u>625.530</u>	Relations with employers and clients.
<u>625.540</u>	Relations with other engineers or land surveyors.
<u>625.545</u>	Written contract required for each client.
625.550	Licensee employed by governmental agency: Notification to Board of certain conduct by another licensee.
MISCELLANEOU	
<u>625.610</u>	Stamps, seals and signatures on documents; revision of original plans.
<u>625.611</u>	Plans, maps and specifications submitted to public authority: Contents; stamps and signatures.
<u>625.612</u>	Reports, studies, test results, certifications and calculations submitted to public authority: Stamps and
605 610	signatures.
<u>625.613</u>	Documents prepared by licensee: Inclusion of supplemental information; contents.
<u>625.615</u>	Address of licensee: Filing with and use by Board; notice of change.
<u>625.620</u>	Fictitious names.
<u>625.625</u>	Notice of change in licensee's employer, category or discipline.
625.630 PRACTICE REFO	Advertising for or offering to perform engineering in discipline in which licensee or firm is not licensed. ORE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

Parties

<u>625.635</u> Representation of parties; qualifications of attorneys.

Disciplinary Action

- 625.640 Procedure for complaints concerning professional misconduct or incompetence. 625.642 Licensee to provide written notice of disciplinary action taken by another entity.
- <u>625.645</u> Conditions of probation.

Advisory Committees

- 625.646 Establishment of advisory committee; members; recommendations
 625.6465 Evaluation and disposition of complaint: Duties of Executive Director.
- 625.647 Evaluation and disposition of complaint: Duties of advisory committee; review by Board of recommendation.
- 625.6475 Evaluation and disposition of complaint: Informal conference; hearing de novo.
- <u>625.648</u> Evaluation and disposition of complaint: Actions of respondent.

Miscellaneous Petitions

625.649 Petitions for adoption, amendment or repeal of regulations.

STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS

General Provisions

- 625.651 "Positional certainty" defined.
- <u>625.655</u> Applicability of statutes and regulations.
- 625.660 Responsibility for compliance with standards of practice.
- 625.662 Units of measurement.
- 625.664 Positional certainty: Minimum confidence level.
- 625.666 Positional certainty: Horizontal and vertical components of certain land surveys.
- 625.668 Positional certainty: Horizontal and vertical positions of monuments.

Land Boundary Surveys

- <u>625.670</u> Required research, identifications, measurements and computations.
- <u>625.680</u> Disagreements concerning measurements or positions of monumented corners.
- <u>625.690</u> Location of corners, boundaries and monuments.
- 625.700 Report to client of discrepancies concerning boundary lines.
- 625.710 Identification and description of monuments.
- <u>625.720</u> Drawing of survey; certification.
- 625.740 Classifications of surveys; use of classifications and requirements for positional certainty.

Construction Surveys

- 625.760 Contract drawings and specifications; special instructions.
- 625.765 Establishment of final location of points.
- 625.770 Verification of location of certain points; notification of insufficient dimensions or details.
- 625.775 Positional certainties for marking locations of proposed fixed works.
- 625.780 Sketches, cut sheets and field notes.
- Verification surveys: Exchange of information.

Miscellaneous Provisions

- 625.790 Preparation of legal description of property.
- <u>625.795</u> Duties regarding geographic information systems.

GENERAL PROVISIONS

NAC 625.010 **Definitions.** (NRS 625.140) As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 625.011 to 625.019, inclusive, have the meanings ascribed to them in those sections.

[Bd. of Reg'd Professional Eng'rs, § 625.020, eff. 8-16-78]—(NAC A 3-18-80; A by Bd. of Professional Eng'rs & Land Surv., 3-15-93; 11-14-97; R077-09 & R078-09, 10-15-2010)

NAC 625.011 "Biennial renewal period" defined. (NRS 625.140, 625.398) "Biennial renewal period" means the 2 years immediately preceding the date on which a licensee must submit an application for the renewal of his or her license.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.012 "Board" defined. (NRS 625.140) "Board" means the State Board of Professional

Engineers and Land Surveyors.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.013 "Firm" defined. (NRS 625.140) "Firm" means a person, other than a natural person, including, without limitation, a partnership, corporation or other business entity, that engages in or offers to engage in the practice of professional engineering or the practice of land surveying in this State.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv. by R077-09 & R078-09, eff. 10-15-2010)

NAC 625.014 "Licensee" defined. (NRS 625.140) "Licensee" means a professional engineer or professional land surveyor licensed pursuant to the provisions of chapter 625 of NRS. (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.016 "Professional development hour" defined. (NRS 625.140, 625.398) "Professional development hour" means 1 hour of credit obtained by a licensee for participating in courses, programs and activities to maintain, improve or expand the skills and knowledge relevant to his or her discipline.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.017 "Quarter credit hour" defined. (NRS 625.140, 625.398) "Quarter credit hour" means 1 hour of college credit for a course which has a duration measured in quarters.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.018 "Respondent" defined. (NRS 625.140) "Respondent" means a licensee against whom a complaint has been filed or with respect to whom an investigation is being conducted.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.019 "Semester credit hour" defined. (NRS 625.140, 625.398) "Semester credit hour" means 1 hour of college credit for a course which has a duration measured in semesters. (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.020 Engineering and land surveying licensed as separate professions. (NRS 625.140, 625.381)

- 1. In accordance with <u>chapter 625</u> of NRS, the Board will administer the licensing of two separate and distinct professions:
 - (a) Professional engineers; and
 - (b) Professional land surveyors.
- 2. Licensure as a professional engineer does not entitle the licensee to practice land surveying, and licensure as a professional land surveyor does not entitle the licensee to practice professional engineering, unless the licensed professional engineer or professional land surveyor is also licensed in the other profession or is exempt from licensure in accordance with the provisions of chapter 625 of NRS.

[Bd. of Reg'd Professional Eng'rs, § 625.010, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92)

STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

NAC 625.100 Officers: Election; term; vacancies; removal. (NRS 625.110, 625.140)

- 1. The Board will elect a Chair and a Vice Chair from among its members. Any member of the Board may nominate another member of the Board as an officer. The Board may elect an officer by an affirmative vote of at least four members of the Board.
 - 2. The term of office for the Chair and Vice Chair is 1 year.
- 3. A member may not be elected to an office for more than two terms, not including the remainder of an unexpired term filled by the member.
 - 4. If a vacancy occurs in the office of:
 - (a) Chair, the Vice Chair shall assume the duties of Chair for the unexpired term.
- (b) Vice Chair, the Board will, at its next meeting, elect from among its members a Vice Chair to fill the vacancy for the unexpired term.
 - 5. The Board may remove an officer by an affirmative vote of at least five members of the Board. (Added to NAC by Bd. of Professional Eng'rs & Land Surv. by R211-99, eff. 5-10-2000)

NAC 625.110 Meetings. (NRS 625.140)

- 1. The Board will meet at least four times annually and its meetings will be uniformly spaced as nearly as may be practical.
- 2. Meetings must be scheduled at least 2 months in advance. Persons who desire to attend meetings or bring matters to the Board's attention may request notices of meetings from the office of the Board.

[Bd. of Reg'd Professional Eng'rs, § 625.110, eff. 8-16-78]

NAC 625.125 Appointment of members emeriti. (NRS 625.110, 625.140) The Board may designate as a Board member emeritus in recognition of service on the Board, any former member who has retired or has not been reappointed.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

LICENSURE, CERTIFICATION AND REGISTRATION

NAC 625.210 Application for licensure or certification; fees. (NRS 625.140, 625.390)

- 1. Unless otherwise permitted by the Board, an applicant shall not give as professional references persons who are all members of the same organization and not more than one-half of the persons named by the applicant may be members of the applicant's organization. An applicant shall not give the Executive Director of the Board as a professional reference.
- 2. Each applicant must furnish transcripts as proof of his or her college and postgraduate education. Each transcript must be sent directly to the Board by the issuing institution. If transcripts are not available, the applicant must furnish other proof of his or her education in a form acceptable to the Board.
- 3. Each applicant who was born in a foreign country must supply documentary proof of his or her naturalization as a citizen of the United States or of his or her right to remain and work in the United States.
- 4. If an applicant is not a resident of this State, the Board will not consider him or her for licensure upon written examination unless the type of license for which the applicant is applying, or its reasonable equivalent, is unavailable to him or her in the state of his or her legal residence.
 - 5. Each applicant must pay the following fee, as appropriate, at the time of application:
- (a) For each application for licensure as a professional engineer or professional land surveyor or for licensure in an additional discipline of engineering, \$200.
 - (b) For each application for certification as an engineer intern or a land surveyor intern, \$50.
- [Bd. of Reg'd Professional Eng'rs, § 625.210, eff. 8-16-78]—(NAC A 3-18-80; 5-13-82; 12-22-83; 12-9-86; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-20-89; 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000)
- NAC 625.215 Experience in land surveying. (NRS 625.140, 625.270) The applicant shall complete at least 2 years of the land surveying experience which is required by subsection 3 of NRS 625.270 under the direct supervision of a land surveyor licensed in the jurisdiction in which the applicant performs the land surveying. The experience of the applicant must be in the practice of land surveying as defined in NRS 625.040. Any experience which the applicant applies toward licensure as a professional land surveyor must not also be applied toward licensure as a professional engineer.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 5-4-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000)

NAC 625.220 Disciplines of engineering. (NRS 625.140, 625.175)

- 1. Each applicant must specify the discipline of engineering in which he or she desires to be examined and licensed.
- 2. The Board will classify applicants in a manner which is reasonably consistent with custom in the profession. The Board may classify and examine an applicant in the basic discipline of engineering which is most closely associated with the applicant's area of concentration.
 - 3. An applicant may apply for licensure in the following disciplines of engineering:
 - (a) Agricultural;
 - (b) Chemical;
 - (c) Civil;
 - (d) Control systems;
 - (e) Electrical;
 - (f) Environmental;
 - (g) Fire protection;
 - (h) Geological;
 - (i) Industrial;

- (j) Manufacturing;
- (k) Mechanical;
- (1) Metallurgical and materials;
- (m) Mining and mineral processing;
- (n) Naval architecture and marine;
- (o) Nuclear;
- (p) Petroleum;
- (q) Structural; or
- (r) Any other discipline of engineering which the Board deems appropriate.
- 4. Each applicant must know the basic concepts of engineering in the fields of mathematics, physics, chemistry, statics, dynamics, strength of materials, fluid mechanics, electricity and magnetism, thermodynamics and economic analysis, and understand the application of these concepts in his or her specialized discipline of engineering.

[Bd. of Reg'd Professional Eng'rs § 625.220, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92)—(NAC A 1-13-94; A by Bd. of Professional Eng'rs & Land Surv. by R004-98, 4-17-98; R211-99, 5-10-2000; R073-09, 10-15-2010)

NAC 625.230 Applications for licensure in multiple categories or disciplines. (NRS 625.140)

- 1. An applicant who applies for licensure in more than one discipline of engineering or in both the categories of professional engineer and land surveyor must:
- (a) File a separate application for each additional category or discipline requested and pay the application fee for each additional application filed; and
- (b) Complete the application forms to indicate clearly the education, experience and personal references which will substantiate his or her claims of proficiency in each category or discipline for which he or she is applying. Experience and personal references must be stated separately for each discipline.
- 2. If an applicant who is not a professional engineer concurrently applies for initial licensure in two or more disciplines of engineering, the Board will not approve the application unless the applicant submits evidence of significant experience, or education and experience, in each of the disciplines.
- 3. The Board generally will not approve an application in an additional discipline of engineering unless the applicant possesses a minimum of 10 years of education and experience.
- 4. The Board may accept a second baccalaureate degree in an approved curriculum in partial satisfaction of the requirements for licensure in an additional discipline of engineering if the applicant clearly shows that he or she possesses significant experience in the additional discipline, but in no case will the Board grant such a license within 6 years after the applicant received his or her first baccalaureate degree.
- 5. An applicant who applies for licensure on the basis of comity in more than one discipline of engineering may be granted licensure in the additional disciplines if the applicant clearly shows in the application that he or she possesses the required education and experience and his or her claims of proficiency are substantiated by an examination administered by the Board.

[Bd. of Reg'd Professional Eng'rs § 625.230, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R073-09, 10-15-2010)

NAC 625.240 Licensure on basis of previous licensure in another jurisdiction; oral examination; written examination. (NRS 625.140, 625.382)

- 1. An applicant who applies for licensure in this State on the basis of previous licensure in another jurisdiction must:
 - (a) Pay an application fee of \$200 and file the required application with the Board;
- (b) Pass a short written examination on <u>chapter 625</u> of NRS and the regulations and code of conduct of the Board: and
 - (c) Pass an oral examination if required by the Board.
- 2. All oral examinations may be conducted by a committee of at least three persons selected by the Board who are licensed in this State as professional engineers or land surveyors. One member of such a committee must be a member of the Board.
- 3. An applicant who appears for an oral examination shall submit to the Board all necessary material to ensure that the information in the file of the applicant is current on the date that the applicant takes the oral examination.
- 4. An applicant who fails to appear on two separate occasions for an oral examination required pursuant to this section may not take an oral examination for at least 12 months after the date of the second examination for which he or she did not appear unless the applicant is excused from appearance by the

Board at least 7 days before the scheduled examination.

- 5. Before an applicant may schedule an oral examination, the applicant must pay any costs incurred by the Board related to scheduling any previous examinations for which the applicant did not appear.
 - 6. The Board will determine the costs that the applicant must pay pursuant to subsection 5.
- 7. After the oral examination, the Board may require the applicant to pass a written examination as a condition precedent to licensure.

[Bd. of Reg'd Professional Eng'rs § 625.240, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-19-85; 11-20-89; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000)

NAC 625.260 Licensure as structural engineer required for certain activities; exceptions. (NRS 625.140, 625.175)

- 1. Only professional engineers licensed as structural engineers pursuant to this chapter may structurally design:
- (a) A structure requiring special expertise, including, but not limited to, a radio tower and a sign over 100 feet in height, using the bottom of the lowest footing or the top of the pile cap as the point of reference. Dynamic machinery and related equipment within the scope of mechanical engineering are not included.
 - (b) A building more than three stories in height.
- (c) A building more than 45 feet in height, using the bottom of the lowest footing or the top of the pile cap as the point of reference.
- 2. Any professional engineer may design a component part of a building that is more than 45 feet in height if the professional engineer is otherwise qualified to do so pursuant to the particular discipline in which the professional engineer is licensed. If the professional engineer is not licensed as a structural engineer, the design must be reviewed by an engineer of record who is licensed as a structural engineer.
- 3. A professional engineer licensed as a civil engineer pursuant to this chapter may structurally design a structure, including, without limitation, a bridge, unless the structure is described in subsection 1.
- 4. As used in this section, "pile cap" means a thick concrete mat which is used as part of the foundation of a building or structure and which rests on piles.

(Added to NAC by Bd. of Reg'd Professional Eng'rs and Land Surv., eff. 9-13-85; A by Bd. of Professional Eng'rs & Land Surv. by R074-09, 10-15-2010)

NAC 625.310 Examinations: Generally. (NRS 625.140, 625.154, 625.193, 625.280)

- 1. The Board will administer written examinations at least once each year and additional examinations as needed. The time and place for a written examination will be established at least 4 months in advance. Specific information concerning times and places for scheduled examinations may be obtained from the office of the Board.
- 2. The Board will administer the following written examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as an engineer:
- (a) The Fundamentals of Engineering, which is an 8-hour examination that covers the fundamentals of engineering; and
- (b) The Principles and Practice of Engineering, which is an 8-hour examination that covers the principles and practice of engineering.
- 3. The Board will administer the following written examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as a land surveyor:
- (a) The Fundamentals of Surveying, which is an 8-hour examination that covers the fundamentals of land surveying; and
- (b) The Principles and Practice of Surveying, which is a 6-hour examination that covers the principles and practice of land surveying.
- 4. In addition to the examinations set forth in subsection 3, the Board will prepare a 2-hour examination that covers the laws of this State and the procedures for the practice of land surveying. The Board will administer this examination at the same time that the Board administers the examination set forth in paragraph (b) of subsection 3 and at such other times as the Board determines.
- 5. The examination to become a structural engineer is a 16-hour examination which is composed of two parts, each of which lasts 8 hours.
- [Bd. of Reg'd Professional Eng'rs, § 625.310, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 3-18-80; 12-9-87; 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R073-09, 10-15-2010)

NAC 625.320 Examinations: Land surveyor intern. (NRS 625.140)

- 1. An applicant may take the examination to become a land surveyor intern only if the applicant meets the requirements of education or experience for certification as a land surveyor intern as prescribed in NRS 625.386.
- 2. The Board will consider an applicant to have met the statutory requirements if the applicant has a combination of education and experience totaling 4 years or more which is satisfactory to the Board.
- 3. The examination for a land surveyor intern consists of a 1-day written test which is given in two 4-hour periods and covers the fundamentals of land surveying as set forth in NRS 625.280.
- 4. A person is not eligible to apply to take the examination to become a professional land surveyor unless he or she has successfully passed or has been excused from the examination for a land surveyor intern.
- [Bd. of Reg'd Professional Eng'rs, § 625.320, eff. 8-16-78]—(NAC A 3-18-80; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000)

NAC 625.330 Examinations: Notice to appear; failure to appear. (NRS 625.140)

- 1. If the Board schedules an oral interview or a written examination, or both, for an applicant, the Board must send to that applicant a notice of the time and place to appear before the Board for an oral interview or a written examination, or both.
- 2. An applicant who is sent a notice shall appear before the Board in accordance with the schedule established by the Board.
- 3. If an applicant fails to appear for an interview or examination within 1 year, he or she must file a new application for licensure and pay the application fee in effect at the time of reapplication. Any fee previously paid is not refundable.
- [Bd. of Reg'd Professional Eng'rs, § 625.330, eff. 8-16-78]—(NAC A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000)

NAC 625.340 Examinations: Withdrawal. (NRS 625.140)

- 1. If an applicant is unable to take an examination for which he or she has been scheduled, the applicant must notify the Board of his or her withdrawal not later than the date posted on the Internet website of the Board as the deadline for applying to take the examination for which the applicant was scheduled.
- 2. An applicant who fails to attend a scheduled examination must pay an additional fee of \$50 to cover the cost of rescheduling the examination.
- 3. An applicant for the examination to become an engineer intern or a land surveyor intern who fails to make a timely withdrawal must pay an additional fee in the amount of the fee for the missed examination.
- [Bd. of Reg'd Professional Eng'rs, § 625.340, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 12-22-83; 12-10-87; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R073-09, 10-15-2010)

NAC 625.350 Examinations: Reapplication after failing written examination. (NRS 625.140, 625.390)

- 1. Except as otherwise provided in subsection 2, an applicant who fails to pass the written examination may reapply to take the examination:
- (a) Within 12 months after the examination, by paying a fee for the examination which is based on the actual cost of the Board to:
- (1) Purchase the examination from the National Council of Examiners for Engineering and Surveying; and
 - (2) Administer the examination.
 - (b) Twelve months or more after the examination, by:
 - (1) Submitting an updated application;
 - (2) Paying an application fee of \$200; and
 - (3) Paying a fee for the examination which is based on the actual cost of the Board to:
- (I) Purchase the examination from the National Council of Examiners for Engineering and Surveying; and
 - (II) Administer the examination.
- 2. Each time an applicant fails to pass the written examination three times, the applicant may reapply to take the examination only if, in addition to satisfying the requirements set forth in paragraph (b) of subsection 1, the applicant furnishes proof that he or she has completed a refresher course in professional land surveying or the discipline of professional engineering in which the applicant is to be examined.
 - [Bd. of Reg'd Professional Eng'rs, § 625.350, eff. 8-16-78]—(NAC A 12-22-83; A by Bd. of Reg'd

Professional Eng'rs & Land Surv., 11-20-89; 7-10-92; 9-1-93; A by Bd. of Professional Eng'rs & Land Surv. by R073-09, 10-15-2010)

NAC 625.360 Examinations: Reapplication after failing oral examination. (NRS 625.140) An applicant who fails to pass the oral examination may reapply to take the oral examination:

- 1. Four months or more after failing the first oral examination.
- 2. Twelve months or more after failing the second oral examination.
- 3. Twenty-four months or more after failing the third oral examination.
- 4. A reasonable time as determined by the Board after failing the fourth oral examination.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 9-1-93)

NAC 625.410 Expiration and renewal of licensure. (NRS 625.140, 625.390, 625.395, 625.397)

- 1. The fee for a biennial renewal of a single license is \$100.
- 2. The first letter of the surname of a licensee determines the last date on which a licensee may pay his or her renewal fee, as set forth in the following schedule:

A through E - January 1 of each odd-numbered year.

F through K - July 1 of each odd-numbered year.

L through R - January 1 of each even-numbered year.

S through Z - July 1 of each even-numbered year.

- 3. The Board will prorate the initial application fee paid by a licensee as necessary to provide a biennial renewal period for the licensee that is consistent with the schedule set forth in subsection 2. A person who is licensed in more than one professional category or discipline of engineering must pay the full renewal fee for the first classification and one-half of the renewal fee for each additional classification. No licensee will be charged more than \$200 in a biennium for the renewal of his or her licenses.
- 4. If a licensee does not renew his or her licensure by the appropriate date set forth in subsection 2, the licensure expires and he or she is not licensed to continue to practice. A former licensee whose licensure has expired because of a failure to pay the renewal fee may renew his or her licensure within 6 months after the date of expiration by paying the renewal fee and a late charge of \$100.
 - 5. A licensee whose license has been expired for more than 6 months:
 - (a) Must reapply for licensure and pay the appropriate application fee.
 - (b) May be required to appear before the Board.
 - (c) May be required to pass a written or oral examination.
 - (d) May be required to submit proof to the Board of the completion of 30 professional development hours.
- [Bd. of Reg'd Professional Eng'rs, § 625.410, eff. 8-16-78]—(NAC A 3-18-80; 5-13-82; 12-22-83; 3-15-84; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-20-89; 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 12-13-96; R211-99, 5-10-2000; R073-09, 10-15-2010)

NAC 625.420 Retired or inactive status of licensee; reinstatement to active status. (NRS 625.140, 625.398)

- 1. In lieu of the renewal of his or her license, a licensee may apply to the Board to change his or her status to:
- (a) Retired, by filing with the Board a notice in writing that states the licensee's intention to retire from practice. The Board will issue an identification card indicating that the licensee is retired.
- (b) Inactive, by filing with the Board a notice in writing that states the licensee's intention to change his or her status to inactive and paying a fee that is equal to the fee required for a licensee who wishes to renew his or her license. The Board will issue an identification card indicating that the licensee is inactive.
- 2. If an identification card is issued to a licensee pursuant to this section, his or her license expires and he or she is not licensed to continue to practice.
- 3. A licensee who has changed his or her status to retired pursuant to this section may reinstate his or her license to active status by complying with the requirements for the issuance of an original license and submitting proof that he or she has completed at least 30 professional development hours within the 2 years immediately preceding the date of the licensee's request to reinstate his or her license to active status.
- 4. A licensee who has changed his or her status to inactive pursuant to this section may reinstate his or her license to active status by submitting proof that he or she has completed at least 30 professional development hours within the 2 years immediately preceding the date of the licensee's request to reinstate his or her license to active status.
 - [Bd. of Reg'd Professional Eng'rs, § 625.420, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional

Eng'rs & Land Surv., 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97; R039-03, 5-4-2006; R073-09, 10-15-2010)

NAC 625.425 Registration of firm: Application; requirements; renewal; fees. (NRS 625.140, 625.177, 625.179)

- 1. A firm must:
- (a) File an application for registration with the Board on a form provided by the Board; and
- (b) Pay a fee of \$50,
- before engaging in or offering to engage in the practice of professional engineering or the practice of land surveying in this State.
- 2. A firm shall not engage in the practice of professional engineering or the practice of land surveying unless a professional engineer or professional land surveyor, as applicable, is in responsible charge of the work provided by the firm in each branch office of the firm. The licensee designated pursuant to this subsection to be in responsible charge of the work provided by the firm is not required to be a principal of the firm.
- 3. A firm must file an application described in subsection 1 with the Board for each branch office of the firm located in this State. Each application must include:
 - (a) The name of the firm;
 - (b) A list of the principals of the firm;
 - (c) The address of the firm;
 - (d) The address of the branch office of the firm to which the application pertains;
- (e) The license number of the licensee who is in responsible charge of the work provided by the firm at the branch office to which the application pertains; and
 - (f) A description of the services that are offered by the firm.
 - 4. A firm shall notify the Board, in writing, within 30 days after any change in:
 - (a) The name of the firm;
 - (b) A principal of the firm;
 - (c) The address of the firm, including, a change in the address of a branch office of the firm;
- (d) The licensee who is in responsible charge of the work provided by the firm at a specific branch office of the firm; or
 - (e) The services that are offered by the firm.
- 5. Each year within 30 days after the anniversary date of a firm's registration with the Board, the firm must file an application for renewal of its registration, accompanied by a fee of \$50.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv. by R078-09, eff. 10-15-2010)

CONTINUING EDUCATION

NAC 625.430 Requirements for renewal of license. (NRS 625.140, 625.398)

- 1. Except as otherwise provided in NAC 625.440 and 625.450, a licensee who, on or after January 1, 1999, applies for the renewal of his or her license, must submit proof deemed acceptable by the Board that he or she has completed at least 30 professional development hours within the biennial renewal period, including any professional development hours carried forward from the previous biennial renewal period pursuant to subsection 2. If the licensee does not submit such proof to the Board or, after being notified by the Board that a deficiency exists, does not complete the number of professional development hours which are deficient pursuant to NAC 625.490, the Board will deny the application for the renewal of the license.
- 2. If a licensee has submitted to the Board proof deemed acceptable by the Board that he or she has completed more than 30 professional development hours in a biennial renewal period, the licensee may carry forward to the next biennial renewal period not more than 15 of the excess professional development hours.
- 3. A licensee who is licensed as a professional engineer and who wishes to renew his or her license is required to complete only 30 professional development hours, regardless of the number of disciplines of professional engineering within which he or she is licensed.
- 4. A licensee who is licensed as a professional engineer and a professional land surveyor and who wishes to renew or reinstate both licenses must complete a total of at least 30 professional development hours in activities related to professional engineering and professional land surveying. The professional development hours must include at least:
 - (a) Ten professional development hours in activities related to professional engineering; and
 - (b) Ten professional development hours in activities related to professional land surveying.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.440 Exceptions to requirements for renewal of license. (NRS 625.140, 625.398)

- 1. A licensee who applies for the renewal of his or her license may apply to the Board for an exemption from the requirements of NAC 625.430 for a biennial renewal period if:
- (a) The licensee was issued his or her initial license during the biennial renewal period or less than 2 years before the beginning of the biennial renewal period;
- (b) The licensee served more than 120 consecutive days on active duty in the Armed Forces of the United States during the biennial renewal period;
- (c) The licensee is employed outside of the United States and spent more than 120 consecutive days outside of the United States during the biennial renewal period; or
- (d) The licensee experienced a serious illness or injury during the last year of the biennial renewal period that was of such a nature and duration that the licensee was prohibited from completing the requirements of NAC 625.430.
- 2. A request for an exemption pursuant to subsection 1 must include documentation that supports the request for the exemption.
- 3. If the Board approves a licensee's request for an exemption pursuant to subsection 1, the licensee is not required to comply with the requirements of NAC 625.430 for the biennial renewal period.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97; A by R073-09, 10-15-2010)

NAC 625.450 Waiver of requirements for renewal of license. (NRS 625.140, 625.398) The Board may waive the requirements set forth in NAC 625.430 for a licensee if the Board determines that:

- 1. The licensee has satisfied the requirements for continuing education in his or her discipline in another state during the biennial renewal period; and
- 2. The requirements for continuing education in that state are substantially equivalent to the requirements for continuing education set forth in this chapter.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.460 Inactive status: Requirements for renewal of identification card. (NRS 625.140, 625.398) The identification card issued to a licensee who has changed his or her status to inactive status pursuant to NAC 625.420 expires on the same date as his or her license would expire if the licensee were on active status. To renew the identification card, a licensee who has changed his or her status to inactive pursuant to NAC 625.420 must comply with the requirements of NAC 625.430 in the same manner as a licensee who is on active status.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.470 Assignment of professional development hours to certain activities. (NRS 625.140, 625.398)

1. Except as otherwise provided in subsection 2, a licensee who successfully completes an activity to maintain, improve or expand the skills and knowledge relevant to his or her discipline is entitled to the number of professional development hours assigned to the activity in accordance with the following schedule, subject to modification by the Board:

Activity	Professional Development Hours	
College course with a duration measured in semesters	45 for each semester credit hour received	
College course with a duration measured in quarters Attendance at a seminar, workshop, inhouse course of instruction or professional meeting, convention or	30 for each quarter credit hour received	
conference Teaching a course, tutorial, seminar, or	1 for each hour of attendance	
workshop Authoring or coauthoring a paper, article or	2 for each hour spent teaching	
book that has been	10	

r each calendar year of service
•
1

2. A licensee who teaches the same course on more than one occasion may not obtain any professional development hours for teaching that course a second or subsequent time. A licensee who is a full-time member of the faculty of any institution of the Nevada System of Higher Education or any other public or private institution of learning may not obtain any professional development hours for teaching at that institution.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.480 Proof of completion of professional development hours; form. (NRS 625.140, 625.398)

- 1. Proof of the completion of professional development hours must be accompanied by a form prescribed by the Board for submission with such proof.
 - 2. A licensee shall:
- (a) Retain, for at least 3 years, a copy of the completed form submitted to the Board pursuant to subsection 1 and the proof that he or she completed the professional development hours.
 - (b) Upon request, submit a copy of the completed form and the proof of completion to the Board.
 - 3. Proof of completion of professional development hours may include, without limitation:
- (a) A certificate or other document verifying that the licensee successfully completed an activity for which 1 or more professional development hours are claimed.
 - (b) A literary reference to, or a copy of, a published paper, article or book.
 - (c) A literary reference to, or copy of, a patent issued to the licensee.
- 4. The Board may refuse to accept professional development hours for which proof of completion is submitted pursuant to subsection 1 if the Board determines that the proof of completion is insufficient.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

- NAC 625.490 Notification of failure to complete required number of professional development hours. (NRS 625.140, 625.398) If the Board accepts less than 30 professional development hours for which a licensee submits proof of completion pursuant to NAC 625.430, the Board will notify the licensee not later than 60 days after the date on which the application for renewal was submitted that:
- 1. The licensee must successfully complete the number of professional development hours which are deficient within 6 months after the date on which the application was submitted; and
- 2. The licensee's failure to complete those professional development hours will result in the licensee being placed on inactive status.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

CODE OF CONDUCT

NAC 625.510 Fundamental principles. (NRS 625.140) A licensee shall uphold and advance the honor and dignity of the profession by maintaining high standards of ethical conduct. In particular, a licensee shall:

- 1. Be honest and impartial, and serve his or her employer, clients and the public with devotion;
- 2. Strive to increase the competence and prestige of the profession; and
- 3. Use his or her knowledge and skill for the advancement of human welfare.

[Bd. of Reg'd Professional Eng'rs, § 625.510, eff. 8-16-78]—(NAC A 12-22-83)

NAC 625.520 Relations with the public. (NRS 625.140) In a licensee's relations with the public, the licensee shall:

- 1. Have proper regard for the safety, health and welfare of the public in the performance of his or her professional duties.
- 2. Endeavor to extend public knowledge and appreciation of engineering or land surveying and its achievements, and oppose any untrue, unsupported or exaggerated statements regarding his or her profession.
- 3. Be dignified and modest in explaining his or her work and merit, uphold the honor and dignity of his or her profession and refrain from self-laudatory advertising.
 - 4. Not express an opinion on any subject concerning engineering or land surveying unless the opinion is

founded on adequate knowledge and honest conviction.

5. Preface any ex parte statements, criticism or arguments that he or she may issue by clearly indicating on whose behalf they are made.

[Bd. of Reg'd Professional Eng'rs, § 625.520, eff. 8-16-78]—(NAC A 12-22-83)

NAC 625.530 Relations with employers and clients. (NRS 625.140) In a professional engineer's or land surveyor's relations with his or her employers and clients, he or she shall:

- 1. Act in professional matters as a faithful agent or trustee for each employer or client.
- 2. Act fairly and justly toward vendors and contractors, and not accept from vendors or contractors any commission or allowances, directly or indirectly.
- 3. Inform the employer or client if he or she is financially interested in any vendor or contractor, or in any invention, machine or apparatus which is involved in a project or work of the employer or client, and not allow such an interest to affect his or her decisions regarding engineering or land surveying services which he or she may be called upon to perform.
- 4. Indicate to the employer or client the adverse consequences to be expected if his or her engineering or land surveying judgment is overruled.
- 5. Undertake only those engineering or land surveying assignments for which he or she is qualified and engage or advise the employer or client to engage specialists and cooperate with them whenever the employer's or client's interests are served best by such an arrangement.
- 6. Not disclose information concerning the ethical and confidential business affairs and proprietary technical processes of any former employer or client without express consent.
- 7. Not accept compensation, financial or otherwise, from more than one party for the same service, or for other services pertaining to the same work, without the consent of all interested parties.
- 8. While employed, not engage in supplementary employment or consulting practice except with the consent of the employer.
- [Bd. of Reg'd Professional Eng'rs, § 625.530, eff. 8-16-78]—(NAC A 12-22-83; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92)

NAC 625.540 Relations with other engineers or land surveyors. (NRS 625.140) In his or her relations with other engineers or land surveyors, the licensee shall:

- 1. Take care that credit for engineering or land surveying work is given to those to whom credit is properly due.
- 2. Provide a prospective engineering or land surveying employee with complete information on working conditions and his or her proposed status of employment, and after employment keep him or her informed of any changes in them.
- 3. Endeavor to provide opportunity for the professional development and advancement of licensees in his or her employ or under his or her supervision.
- 4. Not maliciously injure the professional reputation, business prospects or practice of another engineer or land surveyor.
- 5. If a licensee has evidence that another licensee has been unethical or unfair, or has committed an illegal act in his or her practice, notify the proper authorities.
 - 6. Not compete unfairly with another licensee.
- 7. Cooperate in advancing the profession of engineering or land surveying by interchanging information and experience with other licensees and students, and by contributing information to public communication media and to the efforts of engineering, land surveying and scientific societies and schools.

[Bd. of Reg'd Professional Eng'rs, § 625.540, eff. 8-16-78]—(NAC A by Bd. of Professional Eng'rs and Land Surv., 12-22-83; 12-9-87)

NAC 625.545 Written contract required for each client. (NRS 625.140) Before performing any work, a licensee shall enter into a written contract with each client for whom the licensee will perform work. The written contract must include, without limitation, provisions specifying:

- 1. The scope of the work;
- 2. The cost for completion of the work; and
- 3. The anticipated date for completion of the work.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv. by R152-09, eff. 10-15-2010)

NAC 625.550 Licensee employed by governmental agency: Notification to Board of certain conduct by another licensee. (NRS 625.140) Any person licensed pursuant to this chapter who is employed by any governmental entity shall notify the Board in writing when:

- 1. Another licensee has submitted substantially incomplete plans to the governmental entity;
- 2. The governmental entity has, on three or more occasions, rejected plans submitted by another licensee for the same project; or
 - 3. Another licensee has failed timely to respond to correspondence from the governmental entity. (Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 9-13-85; A 9-1-93)

MISCELLANEOUS PROVISIONS

NAC 625.610 Stamps, seals and signatures on documents; revision of original plans. (NRS 625.140, 625.565)

- 1. A stamp authorized by the Board may be obtained at the office of the Board at the expense of the licensee.
- 2. A person who is licensed in more than one discipline of engineering shall use a separate stamp for each discipline, except that a person who is licensed in the disciplines of civil engineering and structural engineering may use a single stamp for both disciplines.
 - 3. The impression made by a stamp or seal:
 - (a) Must be opaque and permanent;
 - (b) Must state the name of the licensee;
 - (c) Must contain the license number of the licensee;
 - (d) Must state the particular discipline in which the licensee is licensed; and
 - (e) May state the expiration date of the license of the licensee.
- 4. Each licensee shall validate a stamp or seal by signing his or her name legibly in opaque ink across the face of the impression made by the stamp or seal, entering the date of stamping or sealing and the date of expiration of his or her license, unless such information is included in a stamp or seal pursuant to subsection 3. The name of the licensee, the particular discipline in which the licensee is licensed and the license number of the licensee must be legible. Except as otherwise provided in NRS 427A.755, the licensee may not use a stamp to produce his or her signature.
- 5. When a licensee signs, stamps or seals a document containing the work of others, the licensee represents that the licensee has prepared or has been in responsible charge of the production of the entire document unless the licensee includes a written statement adjacent to his or her signature, stamp or seal identifying the portion of the document that the licensee prepared or for which the licensee had responsible charge of the work.
- 6. For the purposes of <u>NRS 625.565</u>, a professional engineer has "responsible charge of the work" and may sign, stamp or seal plans, specifications, plats or reports which were not prepared by the professional engineer:
- (a) If the professional engineer personally supervises the work on the plans, specifications, plats or reports to the degree that he or she is satisfied that the work is completed in a proper and professional manner; or
- (b) Where the plans, specifications, plats or reports are not prepared under his or her personal supervision, if the professional engineer or persons under his or her personal supervision review the plans, specifications, plats or reports and make tests, calculations or changes in the work as necessary for the professional engineer to determine that the work has been completed in a proper and professional manner.
- 7. A licensee who signs, stamps or seals a document which was not prepared by him or her but for which the licensee had responsible charge of the work is subject to disciplinary proceedings pursuant to <u>chapter 625</u> of NRS for any errors in that document as if it was prepared by the licensee. This subsection does not exempt any other licensee who prepared the document from disciplinary action for his or her errors in that document.
- 8. Pursuant to <u>NRS 625.565</u>, all surveying maps and records, and all engineering plans, specifications, reports or other documents that are submitted to obtain permits, are released for construction or are issued as formal or final documents to clients, public authorities or third parties must bear:
 - (a) The signature of the licensee;
 - (b) The stamp or seal of the licensee;
 - (c) The date of signing; and
 - (d) The expiration date of the license of the licensee.
- 9. If the license of a licensee expires after the licensee submits, releases or issues a document described in subsection 8, the licensee is not required to sign, stamp or seal the document again to include an updated expiration date of the license unless changes are made to the document after the document is submitted, released or issued.
- 10. A licensee with responsible charge of the work contained in a document described in subsection 8 may have an electronically prepared seal and signature applied to such a document which is electronically submitted, released or issued only if:

- (a) The files containing the document are locked electronically to prevent any changes to the document;
- (b) Secure encryption methods are in place to prevent the copying, transferring or removing of the seal and signature and to prevent changes to any electronic drawings after the document is submitted, released or issued;
 - (c) The electronic signature is applied by the licensee in responsible charge of the work; and
- (d) The licensee believes adequate protections are in place to prevent fraud or misuse of the electronic signature.
- 11. If an agency reviewing an interim document, other than a document listed in subsection 12, requires a licensee to stamp the interim document, the document must be clearly marked in substantially the following manner to show the intended purpose of the document:
 - (a) "For review only";
 - (b) "Not for construction"; or
 - (c) "Preliminary."
 - 12. A licensee is not required to stamp the following documents:
 - (a) An engineering as-built plan or record plan;
 - (b) A report which includes observations concerning the progress of the construction of a project;
 - (c) An estimate of the costs of a project; or
 - (d) A shop drawing that is not required by the specifications of a project.
 - 13. A licensee may revise original plans prepared by another licensee only if:
 - (a) The licensee proposing to revise the plans:
 - (1) Obtains the consent of the licensee who prepared the original plans; or
- (2) Made every reasonable effort to notify and obtain the consent of the licensee who prepared the original plans and the licensee proposing to revise the plan is part of the same firm that prepared the original plans;
 - (b) The proposed revisions are within the scope of practice of the licensee proposing to revise the plans;
- (c) The licensee proposing to revise the plans assumes full responsibility for those revisions and the effects of those revisions upon the remainder of the project; and
 - (d) The revisions to the original plans comply with applicable state and local laws.
- [Bd. of Reg'd Professional Eng'rs § 625.610, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 5-4-92; 7-10-92; 1-13-94; A by Bd. of Professional Eng'rs & Land Surv., 11-12-97; R211-99, 5-10-2000; R168-01, 4-29-2002; R075-09, 10-15-2010)

NAC 625.611 Plans, maps and specifications submitted to public authority: Contents; stamps and signatures. (NRS 625.140, 625.565)

- 1. Plans or maps submitted to a public authority must include:
- (a) The name, address and telephone number of the firm which submits the plans or maps;
- (b) The name and location of the project for which the plans or maps are submitted; and
- (c) The date the plans or maps were printed and a statement which indicates whether the plans or maps are preliminary or final.
 - 2. If the plans or maps submitted to a public authority are:
- (a) Original plans or maps, each sheet of the plans or maps must be dated, stamped and signed by each licensee who had responsible charge of the work indicated on the sheet. If the licensee is a licensed professional engineer, the licensee must date, stamp and sign the plans for each discipline of engineering for which the licensee is licensed that is related to the work for which the licensee is responsible.
- (b) Copies of the original plans, the cover sheet and the first sheet for each discipline of engineering of the plans must be dated and stamped and include an original signature of the licensee who had responsible charge of the work indicated on the sheet.
- (c) Copies of original plans or maps which have not been dated, stamped and signed, each sheet of the plans or maps must be dated, stamped and signed by each licensee who had responsible charge of the work indicated on the sheet. If the licensee is a licensed professional engineer, the licensee must date, stamp and sign the plans for each discipline of engineering for which the licensee is licensed that is related to the work for which the licensee is responsible.
- 3. Each set of specifications submitted to a public authority must include a table of contents or cover sheet that:
 - (a) Indicates the discipline of engineering that is the source of each specification; and
- (b) Contains the stamp of, and is signed and dated by, each licensee who had responsible charge of that discipline.
 - (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-12-97; A by R076-09, 10-15-2010)

NAC 625.612 Reports, studies, test results, certifications and calculations submitted to public authority: Stamps and signatures. (NRS 625.140, 625.565) Each report, study, test result, certification or calculation which is submitted to a public authority must be stamped, signed and dated by the licensee who had responsible charge of that report, study, test result, certification or calculation.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-12-97)

NAC 625.613 Documents prepared by licensee: Inclusion of supplemental information; contents. (NRS 625.140)

- 1. Details, shop drawings, descriptions of products or any other information which is prepared by a manufacturer, supplier or installer of a product or system may be included in a document which has been prepared and stamped by a licensee.
 - 2. Each document which is prepared by a licensee must include:
 - (a) A description of the document;
 - (b) The date the document was printed;
 - (c) The name, address and telephone number of the licensee's firm; and
 - (d) The name and location of the project for which the document was prepared.
 - (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-12-97)

NAC 625.615 Address of licensee: Filing with and use by Board; notice of change. (NRS 625.140)

- 1. Each licensee shall file with the Board the complete address of his or her principal place of business, including the name and number of the street, or, if the licensee does not maintain a principal place of business, the complete address of his or her residence or the number of his or her post office box.
- 2. The Board will send all communications to the licensee at the address or post office box filed pursuant to subsection 1.
- 3. A licensee shall submit a written notice of any change of address to the Board within 10 days after the effective date of the change. Failure to notify the Board within that period is grounds for disciplinary action by the Board.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 10-11-91; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000)

NAC 625.620 Fictitious names. (NRS 625.140) Any licensee or firm which conducts business under an assumed or fictitious name or designation and which does not show the real name of the firm or names of the persons engaged or interested in the business shall file with the Board a certificate of fictitious name in the form required by chapter 602 of NRS within 30 days after the first use of the name or designation.

[Bd. of Reg'd Professional Eng'rs § 625.620, eff. 8-16-78]—(NAC A by Bd. of Professional Eng'rs & Land Surv. by R077-09 & R078-09, 10-15-2010)

NAC 625.625 Notice of change in licensee's employer, category or discipline. (NRS 625.140) If any information on file with the Board concerning a licensee's:

- 1. Employer; or
- 2. Category or discipline of engineering or land surveying,
- changes, the licensee shall submit written notice of the change to the Board within 30 days. The notice must include any change of the telephone number of the licensee's principal place of business.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 10-11-91)

NAC 625.630 Advertising for or offering to perform engineering in discipline in which licensee or firm is not licensed. (NRS 625.140)

- 1. A licensee or firm shall not advertise for or offer to perform:
- (a) Land surveying, if the licensee or a member of the firm has not been licensed to perform such work by the Board unless the licensee or firm has a full-time partner, associate, officer or employee licensed to practice land surveying; or
- (b) Engineering in a discipline of professional engineering in which the licensee or a member of the firm has not been licensed by the Board, unless the licensee or firm has a full-time partner, associate, officer or employee licensed to practice in that discipline of engineering.
 - 2. Licensees and firms shall not:
- (a) Advertise for land surveying in violation of subsection 1 and thereafter seek to employ persons qualified to do the work only after the work has been obtained.
- (b) Advertise for work in a discipline of engineering in which they are not licensed in violation of subsection 1 and thereafter seek to employ persons qualified to do the work only after the work has been

obtained. Professional engineers and firms may solicit work only in those disciplines of engineering in which they are licensed.

- 3. As used in this section, "full-time employee" means a person who:
- (a) Devotes his or her working time in the actual employ of the licensee or firm and not merely as a consultant; and
- (b) Is generally present, during normal business hours, in the local office of the employer for which he or she is employed.
- [Bd. of Reg'd Professional Eng'rs, § 625.630, eff. 8-16-78]—(NAC A 3-18-80; 12-9-86; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R077-09 & R078-09, 10-15-2010)

PRACTICE BEFORE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Parties

NAC 625.635 Representation of parties; qualifications of attorneys. (NRS 625.140)

- 1. A party may, in any proceeding before the Board, represent himself or herself or be represented by an attorney or any other person he or she designates.
- 2. If a party chooses to be represented by an attorney, the attorney must be admitted to practice and in good standing before the highest court of any state. If the attorney is not admitted and entitled to practice before the Supreme Court of Nevada, he or she must associate with an attorney who is so admitted and entitled to practice.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

Disciplinary Action

NAC 625.640 Procedure for complaints concerning professional misconduct or incompetence. (NRS 625.140)

- 1. Any person who is aggrieved by the alleged professional misconduct or incompetence of a person subject to the jurisdiction of the Board may file a complaint with it pursuant to NRS 625.420, and the Board may attempt to reach a settlement before holding a disciplinary hearing.
- 2. Upon receipt of a complaint, a member of the Board's staff shall initiate an investigation. Upon completion of the investigation, the member of the Board's staff shall submit a written report containing the results of the investigation to the Executive Director.
 - 3. The Executive Director shall:
 - (a) Review the written report submitted pursuant to subsection 2; and
 - (b) Upon completion of the review, recommend to the Board that:
 - (1) The Board dismiss the complaint;
- (2) The Executive Director negotiate a settlement with the respondent, subject to the approval of the Board;
 - (3) The Board schedule the matter for a disciplinary hearing; or
 - (4) The Board refer the matter to an advisory committee for further review.

[Bd. of Reg'd Professional Eng'rs, § 625.640, eff. 8-16-78]—(NAC A by Bd. of Professional Eng'rs & Land Surv., 3-15-94)

NAC 625.642 Licensee to provide written notice of disciplinary action taken by another entity. (NRS 625.140)

- 1. A licensee who has been disciplined by another state or territory, the District of Columbia, a foreign country, the Federal Government or any other governmental agency shall notify the Board in writing of such disciplinary action.
 - 2. The written notice must set forth the grounds, terms and effective date of the disciplinary action.
- 3. The licensee shall submit the written notice to the Board within 30 days after the date on which the disciplinary action is imposed and state whether the disciplinary action is final or on appeal.
- 4. Failure to provide the written notice required pursuant to this section is an aggravating factor in any disciplinary action taken by the Board against the licensee.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000)

NAC 625.645 Conditions of probation. (NRS 625.140, 625.460)

1. If the Board determines that probation is an appropriate disciplinary sanction pursuant to <u>NRS 625.460</u>, it may require as conditions of probation:

- (a) That the licensee notify the Board concerning each project on which the licensee is working;
- (b) The supervision of the licensee by an independent professional selected by the Board;
- (c) The payment of all costs of the Board, not to exceed \$5,000 per violation; and
- (d) Any other conditions deemed appropriate by the Board.
- 2. Any notification required pursuant to subsection 1 must include:
- (a) The name of the client;
- (b) The name of the project;
- (c) The location of the project;
- (d) The type and scope of work involved;
- (e) The size of the project; and
- (f) The amount of the fee to be paid to the licensee.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 5-31-90; A 9-1-93)

Advisory Committees

NAC 625.646 Establishment of advisory committee; members; recommendations. (NRS 625.140)

- 1. The Board may establish an advisory committee composed of professional engineers, land surveyors or other persons to:
- (a) Provide technical assistance in the evaluation and disposition of a complaint regarding the action or inaction of a licensee;
 - (b) Participate in the evaluation of candidates for licensure by comity; or
 - (c) Provide assistance in any area that the Board deems necessary.
 - 2. Members of an advisory committee:
 - (a) Serve at the pleasure of the Board.
- (b) Are prohibited from participating in any proceeding in which a member of the Board similarly situated would be required to abstain.
- (c) Are entitled to travel expenses and subsistence allowances, but are not entitled to compensation for services rendered to the Board.
- 3. Each member of the Board is a nonvoting, ex officio member of any such advisory committee and may attend any meeting of such an advisory committee.
 - 4. The Board is not bound by any recommendation made by an advisory committee.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94)

NAC 625.6465 Evaluation and disposition of complaint: Duties of Executive Director. (NRS 625.140) If the Board establishes an advisory committee for the evaluation and disposition of a complaint, the Executive Director shall:

- 1. Select five persons to serve as the members of the advisory committee from a list of volunteers approved by the Board, three of whom, if practicable, must be from the same discipline as the respondent;
 - 2. Designate one member to act as the chair;
 - 3. Schedule an informal conference between the advisory committee and the respondent;
- 4. Provide written notice of the time and place of the informal conference to each member of the advisory committee, the respondent and any witnesses requested by the respondent or the staff of the Board to appear at the informal conference;
- 5. Serve the decision and recommendation of the advisory committee on the respondent within a reasonable period; and
 - 6. Inform the Board of the recommended disposition of the complaint.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94)

NAC 625.647 Evaluation and disposition of complaint: Duties of advisory committee; review by Board of recommendation. (NRS 625.140)

- 1. If the Board establishes an advisory committee for the evaluation and disposition of a complaint, the advisory committee shall:
- (a) Review the complaint and the written report submitted pursuant to subsection 2 of <u>NAC 625.640</u> to determine whether there is probable cause to believe that the respondent violated <u>NRS 625.410</u>;
- (b) Hold an informal conference with the respondent and any other person who may assist in resolving the complaint;
 - (c) Attempt to arrive at a resolution of the complaint with the respondent; and
- (d) Within 15 days after the conclusion of the informal conference, submit to the Executive Director a report containing written recommendations regarding the disposition of the complaint.

- 2. In addition to the report required by paragraph (d) of subsection 1, within 15 days after the conclusion of the informal conference, the chair of the advisory committee shall submit to the Board a report which contains a summary of the informal conference and recommendations regarding the disposition of the complaint.
- 3. The Board is not bound by any recommendation made by an advisory committee regarding the disposition of the complaint.
- 4. The recommendation of an advisory committee pursuant to this section must be entered into evidence at any disciplinary action subsequently held before the Board concerning the complaint reviewed by the advisory committee.
- 5. The Board may give the weight deemed appropriate by the Board to the recommendation of an advisory committee pursuant to this section.
- 6. The Board may accept or reject, in whole or in part, the recommendation of an advisory committee pursuant to this section.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94; A by R209-99, 5-10-2000; R168-01, 4-29-2002)

NAC 625.6475 Evaluation and disposition of complaint: Informal conference; hearing de novo. (NRS 625.140)

- 1. At an informal conference held pursuant to <u>NAC 625.647</u>:
- (a) The chair of the advisory committee shall:
 - (1) Rule on the admissibility of all evidence.
- (2) Accept all evidence which is relevant to the complaint.
- (b) The advisory committee is not bound by the formal rules of evidence.
- (c) The findings of the advisory committee must be supported by substantial evidence.
- (d) All evidence considered by the advisory committee in its review of a complaint is admissible in a disciplinary action before the Board.
- 2. If the Board schedules the matter for a disciplinary hearing, the Board will conduct a hearing de novo of the charges contained in the complaint. During the hearing de novo, the Board may review the evidence considered by the advisory committee concerning the complaint.
 - 3. An advisory committee may continue an informal conference for good cause shown. (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94; A by R168-01, 4-29-2002)

NAC 625.648 Evaluation and disposition of complaint: Actions of respondent. (NRS 625.140)

- 1. If a respondent declines to participate in a review of the complaint by an advisory committee, the Executive Director shall refer the complaint to the Board for any further action that it deems appropriate.
- 2. If the respondent accepts the recommendations of the advisory committee which reviewed the complaint, the respondent must enter into an agreement with the Board regarding the resolution of the complaint within 15 days after he or she is served with the recommendations by the Executive Director. Such an agreement is not effective until the respondent has signed the agreement and the Board has approved it.
- 3. If the respondent rejects the recommendation of the advisory committee, the Board will take any further action that it deems appropriate.
- 4. If the respondent fails to notify the Board that he or she accepts the recommendation of the advisory committee, the Board will take any further action that it deems appropriate.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 5-12-94)

Miscellaneous Petitions

NAC 625.649 Petitions for adoption, amendment or repeal of regulations. (NRS 625.140)

- 1. Any person who is interested may file a written petition with the Executive Director of the Board to adopt, amend or repeal any of these regulations in accordance with <u>NRS 233B.100</u>. The Executive Director shall notify the members of the Board when such a petition has been filed and place it on the agenda for hearing not later than the second regular meeting after its receipt.
- 2. The Executive Director shall notify the petitioner of the time and place for the hearing on the petition and advise the petitioner that he or she may attend the hearing to present evidence and oral arguments in support of the petition.
- 3. After the hearing, the Board must proceed to dispose expeditiously of the petition and will notify the petitioner in writing of its decision.
 - [Bd. of Reg'd Professional Eng'rs, § 625.120, eff. 8-16-78]—(NAC A by Bd. of Professional Eng'rs &

Land Surv. by R211-99, 5-10-2000)

STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS

General Provisions

NAC 625.651 "Positional certainty" defined. (NRS 625.140, 625.250) As used in NAC 625.651 to 625.795, inclusive, "positional certainty" means a measurement of the relative accuracy of positions with respect to the location of a controlling monument.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.655 Applicability of statutes and regulations. (NRS 625.140, 625.250) When engaging in the practice of land surveying in this State, a professional land surveyor shall apply all applicable statutes and regulations in addition to the minimum standards of practice for professional land surveyors established in NAC 625.651 to 625.795, inclusive.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.660 Responsibility for compliance with standards of practice. (NRS 625.140, 625.250) Responsibility for adherence to the minimum standards of practice for engaging in the practice of land surveying rests with the professional land surveyor in responsible charge of the work. Failure on the part of any Nevada professional land surveyor to comply with these minimum standards may be considered by the Board as evidence of gross negligence, professional incompetence or misconduct in the practice of land surveying.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.662 Units of measurement. (NRS 625.140, 625.250)

- 1. Lineal measurements on a survey may be expressed in feet or meters. Measurements of area may be expressed in acres, square feet, hectares or square meters. If any measurement is reported in metric units, the professional land surveyor shall include on the survey the information necessary to convert the measurement to its nonmetric equivalent.
- 2. As used in this section, the words "foot" and "meter" have the meanings ascribed to them in <u>NRS</u> 327.030.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.664 Positional certainty: Minimum confidence level. (NRS 625.140, 625.250) For the purposes of NAC 625.651 to 625.795, inclusive, the positional certainty of a point or monument or of the horizontal or vertical component of a survey must be based upon a confidence level of not less than 95 percent.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.666 Positional certainty: Horizontal and vertical components of certain land surveys. (NRS 625.140, 625.250)

1. The requirements for positional certainty for the horizontal component of land boundary, topographic, control and geodetic surveys are as follows:

Type of Survey

Positional Certainty

	Meters	U.S. Survey Feet	
Land Boundary Surveys			
High Urban	±0.02 m	±0.05 ft	
Low Urban	±0.04 m	±0.15 ft	
High Rural	±0.1 m	±0.3 ft	
Low Rural	±0.15 m	±0.5 ft	

Control and Geodetic Surveys

Precise Measurement Studies State Network County Network Local Network Photogrammetric Control	± 0.001 m to ± 0.01 m ± 0.02 m ± 0.04 m ± 0.06 m ± 0.06 m to ± 1 m	± 0.002 ft to ± 0.03 ft ± 0.05 ft ± 0.15 ft ± 0.2 ft ± 0.2 ft to ± 3 ft
Topographic Surveys Engineering Design Surveys Planning Study Surveys	±0.01 m to ±0.1 m ±0.02 m to ±0.05 m	± 0.03 ft to ± 0.3 ft ± 0.05 ft to ± 0.15 ft
Utilities Mapping Feature Mapping Resource Mapping	$\pm 0.02 \text{ m to } \pm 0.03 \text{ m}$ $\pm 0.15 \text{ m}$ $\pm 0.3 \text{ m}$ $\pm 0.5 \text{ m to } \pm 100 \text{ m}$	±0.5 ft ±0.5 ft ±1 ft ±1.5 ft to ±330 ft

2. The requirements for positional certainty for the vertical component of land boundary, control, geodetic and topographic surveys are as follows:

Type of Survey

Positional Certainty

	Meters	U.S. Survey Feet
Land Boundary Surveys	±0.05 m	±0.15 ft
Control and Geodetic Surveys Other Than Photogrammetric Control Surveys	±0.005 m to ±0.03 m	±0.02 ft to ±0.1 ft
Photogrammetric Control Surveys	± 0.03 m to ± 0.5 m	±0.1 ft to ±1.5 ft
Topographic Surveys National Map Accuracy Standards		Standards

3. For the purposes of this section, the National Map Accuracy Standards, as they existed on November 14, 1997, are hereby adopted by reference. A copy of the National Map Accuracy Standards may be obtained from the United States Geological Survey, Department of the Interior, 12201 Sunrise Valley Drive, Reston, Virginia 20192, at no cost.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.668 Positional certainty: Horizontal and vertical positions of monuments. (NRS 625.140, 625.250) When conducting a land boundary, topographic, control or geodetic survey, a professional land surveyor shall ensure that the horizontal and vertical positions of the monuments established by the surveyor comply with the requirements for positional certainty set forth in NAC 625.666.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

Land Boundary Surveys

NAC 625.670 Required research, identifications, measurements and computations. (NRS 625.140, 625.250) In conducting a land boundary survey, a professional land surveyor shall:

- 1. Search pertinent documents, including, but not limited to, maps, deeds, title reports, title opinions and the records of the U.S. Public Land Survey System.
 - 2. Thoroughly examine the information and data acquired.
- 3. Diligently search for and identify monuments and other physical evidence which could affect the location of the boundaries of the property being surveyed.
- 4. Conduct field measurements necessary to relate adequately the position of all apparent evidence pertinent to the boundaries of the property being surveyed.
 - 5. Make computations to verify the correctness of field data acquired and confirm that results of

measurements are within acceptable limits of tolerance. Computations must be made to determine the relative positions of all found evidence.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.680 Disagreements concerning measurements or positions of monumented corners. (NRS 625.140, 625.250) If a professional land surveyor has a material disagreement with the measurements or monumented corner positions of another land surveyor, the professional land surveyor shall contact the other land surveyor and attempt to resolve the disagreement.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92)

NAC 625.690 Location of corners, boundaries and monuments. (NRS 625.140, 625.250)

- 1. The professional land surveyor shall make a final analysis and reach a conclusion as to the most probable location of corner positions and boundary lines.
- 2. A professional land surveyor shall set monuments pursuant to the provisions of <u>NRS 625.380</u> and all applicable local ordinances.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.700 Report to client of discrepancies concerning boundary lines. (NRS 625.140, 625.250) The professional land surveyor shall:

- 1. Advise his or her client of discrepancies which raise doubts concerning the boundary lines of the property being surveyed; and
 - 2. Provide a written report to the client concerning the discrepancies. (Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92)

NAC 625.710 Identification and description of monuments. (NRS 625.140, 625.250)

- 1. All monuments, whether set or found, must be thoroughly described and specifically identified as set or found, whenever shown on maps or referred to in documents prepared by a professional land surveyor. Descriptions of monuments must be sufficient in detail to facilitate readily future recovery and to enable positive identification, including map references.
 - 2. If the Nevada Coordinate System, as defined in <u>chapter 327</u> of NRS, is used to describe a monument:
- (a) The control used as the coordinate basis must be shown on any maps on which the monument is shown or documents in which reference is made to the monument; and
 - (b) The source of the control data used must be described.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.720 Drawing of survey; certification. (NRS 625.140, 625.250, 625.350)

- 1. A professional land surveyor shall prepare a scaled drawing of the survey for presentation to the client. The drawing must comply with the provisions of NRS 625.340, 625.350 and 625.565.
- 2. In cases where a certification is required by statute or local ordinance, the professional land surveyor shall certify only those matters personally known to be true. The certificate must be in the following form:

SURVEYOR'S CERTIFICATE

- I, (name of professional land surveyor), a Professional Land Surveyor registered in the State of Nevada, certify that:
- 1. This plat represents the results of a survey conducted under my supervision at the instance of(owner, trustee, etc.).
- 2. The land surveyed lies within (section, township, range, meridian, county and city, if incorporated), and the survey was completed on (date).
- 3. This plat complies with applicable statutes of this State and any local ordinances in effect on the date that the survey was completed, and the survey was conducted in accordance with chapter 625 of the Nevada Administrative Code.
- 4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient durability.
- 5. (Any other information that the professional land surveyor personally knows to be true concerning the land surveyed.)

(Validated seal of the professional land surveyor);

(Name and license number of the professional land surveyor printed below the seal).

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

NAC 625.740 Classifications of surveys; use of classifications and requirements for positional certainty. (NRS 625.140, 625.250)

- 1. Boundary surveys have been divided into the following four classifications:
- (a) High Urban. Surveys of land lying within or adjoining a city or town, including surveys of commercial and industrial properties, condominiums, townhouses, apartments and other multiunit developments, regardless of geographic location.
- (b) Low Urban. Surveys of land lying outside high urban areas and used almost exclusively for single family residential use or residential subdivisions.
- (c) High Rural. Surveys of land such as farms and other undeveloped land lying outside the low urban areas which may have potential for future development.
- (d) Low Rural. Surveys of land normally lying in remote areas with difficult or barren terrain and which usually have limited potential for development.
- 2. A professional land surveyor shall use the classifications described in subsection 1 and the requirements for positional certainty for those classifications prescribed in <u>NAC 625.666</u> to establish the locations of monuments in a boundary survey.

(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)

Construction Surveys

NAC 625.760 Contract drawings and specifications; special instructions. (NRS 625.140, 625.250) Before beginning a construction survey, a professional land surveyor shall obtain from the owner's representative a complete set of the contract drawings and specifications approved by the appropriate federal, state and local agencies and any special instructions for the proposed fixed works.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.765 Establishment of final location of points. (NRS 625.140, 625.250) When conducting a construction survey, a professional land surveyor shall establish the final location of points within positional certainties which ensure that the proposed fixed works may be properly constructed.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.770 Verification of location of certain points; notification of insufficient dimensions or details. (NRS 625.140, 625.250)

- 1. A professional land surveyor who is conducting a construction survey shall ensure that:
- (a) The location of the control that delineates the horizontal location of the proposed fixed works; and
- (b) The locations of the benchmark for the project and the vertical location of the proposed fixed works,
- → are identical to the locations of those points as shown on the engineering plans for the project.
- 2. If the professional land surveyor discovers any material differences between the location of the control on the construction survey and the location of the control on the engineering plans for the project, he or she shall notify the owner's representative of those differences.
- 3. If the dimensions or details of the engineering plans are not sufficient to establish the location of the proposed fixed works, the professional land surveyor shall notify the owner's representative and the engineer or architect of record and request that the necessary additional information be provided.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.775 Positional certainties for marking locations of proposed fixed works. (NRS 625.140, 625.250) A professional land surveyor who conducts a construction survey shall place the stakes or other materials used to mark the location of the proposed fixed works within the following positional certainties:

Proposed Fixed Works

Horizontal Positional Certainty Vertical Positional Certainty

	Meters	Feet	Meters	Feet
Rough Grades	±0.03 m	±1 ft	±0.06 m	±0.2 ft
Subgrades	±0.15 m	±0.5 ft	±0.015 m	±0.05 ft
Finish Grades	±0.15 m	±0.5 ft	±0.015 m	±0.05 ft
Buildings	±0.015 m	±0.05 ft	±0.01 m	±0.03 ft
Sewer Facilities	±0.1 m	±0.3 ft	±0.015 m	±0.05 ft
Waterlines	±0.1 m	±0.3 ft	±0.03 m	±0.1 ft
Water Facilities Other Than				
Waterlines	±0.03 m	±0.1 ft	±0.015 m	±0.05 ft
Street Lights and Devices for the				
Control of Traffic	±0.06 m	±0.2 ft	±0.03 m	±0.1 ft
Curbs and Gutters	±0.03 m	±0.1 ft	±0.015 m	±0.05 ft

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.780 Sketches, cut sheets and field notes. (NRS 625.140, 625.250) A professional land surveyor who conducts a construction survey shall provide the owner's representative sketches, cut sheets or other field notes to describe the survey conducted.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

NAC 625.785 Verification surveys: Exchange of information. (NRS 625.140, 625.250) If a professional land surveyor other than the surveyor responsible for the initial location of the proposed fixed works conducts a verification survey, the professional land surveyor shall share with the surveyor responsible for the initial location of the proposed fixed works notes and other data related to the verification survey. Each surveyor shall provide to the other surveyor the results of the survey conducted by him or her and cooperate to resolve any discrepancies between the two surveys.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)

Miscellaneous Provisions

NAC 625.790 Preparation of legal description of property. (NRS 625.140, 625.250) If a professional land surveyor is called upon to prepare a legal description of real property, the professional land surveyor shall include:

- 1. A sufficient caption, body and, where applicable, qualifying clauses;
- 2. A clear statement of the relationship between the real property being described and the survey control or the basis of the unique location;
- 3. A clear statement explaining the basis of bearings or language which otherwise makes definite the method of direction and orientation for the lines of the property being described and the survey control related thereto;
- 4. Full and complete citations to maps, plats, documents and other matters of record, facts of pertinence, which are intended to be incorporated into and made a part of the legal description by reference thereto;
 - 5. When called out, complete and detailed descriptions of physical monuments, both natural and artificial;
- 6. When appropriate, incorporated either directly or by citation, sufficient data to enable a check of mathematical closure for the property being described; and
 - 7. His or her name, the number of his or her Nevada license and his or her validated seal. (Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92)

NAC 625.795 Duties regarding geographic information systems. (NRS 625.140, 625.250)

- 1. When contributing information to a geographic information system, a professional land surveyor must include for use as metadata a statement describing the positional certainty of each type of information contributed to the system by the professional land surveyor.
- 2. When advising the developers of a geographic information system, a professional land surveyor must make recommendations concerning the appropriate methods for:
 - (a) Conducting a survey for the development of the system; and
 - (b) Compiling data for the contribution of additional information to the system after it is developed.
 - 3. A professional land surveyor shall comply with the provisions of NAC 625.651 to 625.795, inclusive,

when conducting surveys to collect information that will be included in a geographic information system.

- 4. As used in this section:
- (a) "Geographic information system" means a collection of computer hardware, software and data that is used for the collection, management, manipulation, analysis and display of information that includes a positional component.
 - (b) "Metadata" means data that describes information used to describe an object.

(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)