

## CHAPTER 29 - SURVEYORS AND ENGINEERS

33-29-101.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-102.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-103.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-104.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-105.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-106.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-107.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-108.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-109.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-110.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-111.□ Renumbered by Laws 1987, ch. 169, □ 2.

33-29-112.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-113.□ Repealed by Laws 1987, ch. 169, □ 3.

33-29-114.□ Definitions.

(a)□ As used in this act:

(i)□ "Board" means the state board of registration for professional engineers and professional land surveyors;

(ii)□ "Engineer" means a person who, by reason of special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by

professional education and practical experience, is qualified to practice engineering as attested by his registration as a professional engineer;

(iii) "Engineering practice" means professional service or work requiring engineering education, training and experience and the application of special knowledge of the mathematical, physical and engineering sciences to the professional services or creative work as consultation, research investigation, teaching, evaluation, planning, surveying practice as defined in subparagraphs (vii)(D) and (E) of this subsection, design, location, development and review of construction for conformance with contract documents and design, in connection with any public or private utility, structure, building, machine, equipment, process, work or project. A person shall be deemed to be practicing or offering to practice engineering if he practices any branch of the profession of engineering, or by verbal claim, sign, advertisement, letterhead, card or any other manner represents himself to be a professional engineer, or quotes fees for professional engineering services, or executes contracts or agreements for professional engineering services or holds himself out as able to perform or does perform any engineering service recognized by the board as engineering;

(iv) "Engineer-in-training" means a candidate for registration as a professional engineer who is a graduate in an approved engineering curriculum of four (4) or more years at a school approved by the board. In addition the candidate shall have passed the engineer-in-training examination;

(v) "Land surveyor" means a person who by reason of his knowledge of the mathematical and physical sciences, principles of land surveying and evidence gathering acquired by professional education and practical experience is qualified to practice land surveying as attested by his registration as land surveyor;

(vi) "Land surveyor-in-training" means a candidate for registration as a professional land surveyor who is a graduate of a school and curriculum approved by the board, or who has six (6) to eight (8) years or more of education or experience, or both, in land surveying work in a combination which meets standards specified by the board. In addition, the candidate shall have passed the land surveyor-in-training examination;

(vii) "Land surveying practice" means the performance of one (1) or more of the following:

(A) Measurement of land to determine the position of any monument or reference point which marks a property line, boundary or corner for the purpose of determining the area or description of the

land;

(B) Location, relocation, establishment, reestablishment, setting, resetting or replacing of corner monuments or reference points which identify land boundaries, rights-of-way or easements;

(C) Platting or plotting of lands for the purpose of subdividing;

(D) Measurement by angles, distances and elevations of natural or man-made features in the air, in the surface and immediate subsurface of the earth, within underground workings and on the surface or within bodies of water for the purpose of determining or establishing their size, shape, topography, grades, contours or water surface and depths, and the preparation and perpetuation of field note records and maps depicting these features;

(E) Setting, resetting or replacing of points to guide the location of new construction;

(F) A person shall be deemed to be practicing or offering to practice land surveying if he by verbal claim, sign, advertisement, letterhead, card or any other manner represents himself to be a professional land surveyor, or quotes fees for professional land surveying services or executes contracts or agreements for professional land surveying services, or holds himself out as able to perform or does perform any land surveying service recognized by the board as land surveying.

(viii) "Registrant" means any person registered with the board under this act;

(ix) "This act" means W.S. 33-29-114 through 33-29-139.

### **33-29-115. Creation of board.**

(a) The state board of registration for professional engineers and professional land surveyors is created to consist of six (6) members appointed by the governor for a term of four (4) years plus the state engineer who shall serve during his term in office. The board shall be composed of:

(i) The state engineer;

(ii) A professional engineer and land surveyor in private practice;

(iii) Three (3) professional engineers, at least one (1) of whom is in a discipline other than civil;

(iv) □ A professional land surveyor not also a professional engineer; and

(v) □ A public member, neither an engineer nor land surveyor.

(b) □ One (1) of the members in paragraph (a)(iii) of this section shall be involved in engineering education at the university level.

(c) □ The governor may remove a member of the board □ as provided in W.S. 9-1-202. □ Appointment to fill a vacancy caused other than by expiration of term shall be for the unexpired portion of the term.

(d) □ Each member of the board shall receive a certificate of appointment from the governor, and before beginning his term of office, he shall file with the secretary of state the constitutional oath of office.

### **33-29-116. □ Qualifications of board members.**

(a) □ Each member of the board shall have been a resident of the state for at least five (5) years immediately preceding appointment as a member.

(b) □ Each member who is an engineer or land surveyor shall have had at least ten (10) years active professional experience as attested by registration under this chapter.

### **33-29-117. □ Compensation of board members.**

Each member of the board except the state engineer shall receive as salary the sum paid each day to legislators for the time consumed in the performance of his duties. □ Each member shall receive per diem and mileage allowance as allowed to state employees. Compensation and expenses shall be paid only from the fees collected by the board.

### **33-29-118. □ Organization of board.**

(a) □ The board shall biennially elect from its membership a president and vice-president. □ The state engineer shall be the secretary-treasurer of the board and shall have charge of the records. □ The board shall hold at least four (4) regular meetings each year and such special or called meetings as the rules provide.

(b) □ Four (4) members constitute a quorum. □ No decision shall be made unless it receives affirmative votes of at least four (4) members of the board.

**33-29-119. Powers and duties of board.**

(a) Responsibility for enforcement of this act is vested in the board. The board shall have all duties, powers and authority specifically granted by and necessary to the enforcement of this act.

(b) The board may make, adopt, amend, repeal and enforce reasonable rules and regulations necessary for the proper administration and enforcement of this act.

(c) Powers and duties of the board include the following:

(i) Adopt an official seal for attestation of certificates of registration and other official papers and documents;

(ii) Consider and pass upon applications for registration;

(iii) Examine, certify, renew and recertify for registration of duly qualified individuals;

(iv) Hear and pass upon complaints or charges or direct a hearing officer to hear and make recommendations to the board on complaints and charges;

(v) Appoint professionals to committees to conduct investigations, surveys, evaluations and other functions as the board deems necessary;

(vi) Determine and administer appropriate disciplinary action against all individuals found guilty by the board of violating this act or the rules and regulations of the board;

(vii) Compel attendance of witnesses, administer oaths and take testimony concerning all matters coming within its jurisdiction;

(viii) Keep a record of its proceedings;

(ix) Keep a register which shall show the date of each application for registration, the name of the applicant, the practice or branch of practice in which the applicant has applied for registration and the disposition of the application;

(x) Determine and collect reasonable registration and renewal fees not to exceed two hundred dollars (\$200.00) each as established by the rules and regulations of the board;

(xi) □ Perform such other duties as may be necessary to carry out the purposes of this act.

(d) □ The board shall specify on the certificate of registration and renewal card issued to each registered engineer the branch of engineering in which the engineer has demonstrated proficiency and authorize him to use the title of registered professional engineer. □ The board shall decide what branches of engineering shall be recognized.

(e) □ The board may hold membership in and be represented at national councils or organizations of professions registered under this act and may pay the appropriate membership fees. □ The board may conduct standard examinations on behalf of national councils and may establish fees for those examinations.

(f) □ The board may employ persons as it deems necessary to administer and enforce this act including persons paid on a fee basis to prepare and grade examinations given to applicants for registration and to fix the fee to be paid for the services. □ The employees are authorized to prepare, grade and monitor examinations and perform other services the board authorizes and receive payment therefor.

(g) □ The board may adopt a nationally recognized code of ethics for the practice of engineering and land surveying for registrants.

(h) □ The board may require evidence it deems necessary to establish the continuing competency of registrants as a condition of renewal of licenses.

### **33-29-120. □ Petition for injunction.**

(a) □ The district court shall issue an injunction forthwith upon a petition filed as provided in this section to enjoin the practice of engineering or land surveying by any person not registered to practice those occupations or who is not exempt under this act from registration requirements.

(b) □ The district court of the district in which the offending party resides or the district court of Laramie county shall have original jurisdiction of any injunction proceedings.

(c) □ In a petition for injunction pursuant to subsection (a) of this section, it shall be sufficient to charge that the respondent on a day certain in a named county engaged in the practice of engineering or land surveying without a registration and without being exempt under this act from registration requirements. □ No showing of actual damage or injury shall be required.

(d)  The petition shall be filed in the name of the state by the board or at the request of the board by the attorney general or any county or district attorney in any county where the respondent resides or may be found.

(e)  Issuance of an injunction shall not relieve respondent from being subject to any other proceeding under this act. Any violation of an injunction shall be punished as contempt of court.

**33-29-121.  Annual report of board; filing copies of lists of registrants.**

In October of each year the board shall make a report to the governor which shall be accompanied by a copy of the list of registrants.  A copy of the list shall also be filed with the secretary of state and with the clerk of each county.

**33-29-122.  Technical registration fund.**

The secretary shall transmit to the state treasurer all fees or other revenues received by the board to be credited to a separate account.  Revenues of the board shall be subject at all times to the warrant of the state auditor, drawn upon written requisition of the secretary of the board for payment of any expenses received by the board.

**33-29-123.  Immunity from personal liability.**

(a)  Members, agents and employees of the board, and any person reporting information to the board under oath, are immune from personal liability with respect to acts done and actions taken in good faith without fraud or malice.

(b)  The immunity provided by this section shall extend to the members of any professional review committee, investigator and witnesses appearing before the committee or board.

**33-29-124.  Certificate required for the practice of engineering or land surveying.**

A person desiring to practice the profession of engineering or land surveying shall first secure a certificate of registration and shall comply with all conditions prescribed in this act.

**33-29-125.  Qualifications for in-training registration.**

(a)  An applicant for in-training registration as an engineer shall:

(i) □ Be of good moral character and repute;

(ii) □ Have a bachelor degree in an engineering curriculum approved by the board; and

(iii) □ Repealed By Laws 2011, Ch. 129, □ 202.

(iv) □ Unless exempt under W.S. 33-29-130(c), pass the engineer-in-training examination.

(b) □ An applicant for in-training registration as a land surveyor shall:

(i) □ Be of good moral character and repute; and

(ii) □ Have a bachelor of science degree in a land surveying or engineering curriculum approved by the board which curriculum included at least thirty (30) semester □ credit hours □ in surveying, mapping and other courses approved by the board; or

(iii) □ Have an associate degree in surveying technology curriculum approved by the board plus four (4) years of combined office and field experience □ in land surveying, of which two (2) years shall have been in charge of land surveying projects under the supervision of a registered land surveyor; or

(iv) □ Have eight (8) years of combined office and field experience in land surveying, of which two (2) years shall have been in charge of land surveying projects under the supervision of a registered land surveyor. □ This paragraph is repealed June 30, 1991;

(v) □ Unless exempt under W.S. 33-29-130(c), pass the land surveyor-in-training examination.

**33-29-126. □ Qualifications for professional registration.**

(a) □ An applicant for professional registration as an engineer shall:

(i) □ Be of good moral character and repute;

(ii) □ Be registered as an engineer-in-training;

(iii) □ Be actively engaged in education or experience, or both, in professional engineering satisfactory to the board for at least an additional four (4) years beyond that required for registration as an engineer-in-training;



(iv)  Unless exempt under W.S. 33-29-130, pass the in-training and professional examinations in the discipline in which registration is sought.

(b)  An applicant for professional registration as a land surveyor shall:

(i)  Be of good moral character and repute;

(ii)  Be registered as a land surveyor-in-training;

(iii)  Be actively engaged in education and experience, satisfactory to the board, in professional land surveying, for at least an additional four (4) years beyond that required for registration as a land surveyor-in-training;

(iv)  Unless exempt under W.S. 33-29-130, pass the in-training and professional examinations.

(c)  In computing the period of active engagement required under this section:

(i)  Study satisfactorily completed in an engineering graduate school approved by the board is equivalent to  a maximum of one (1) year of active engagement. Each year of full-time employment teaching engineering subjects in a school approved by the  board is equivalent to one (1) year of active engagement;

(ii)  Study satisfactorily completed in a graduate level land surveying curriculum and school approved by the board is considered equivalent to a maximum of one (1) year of active engagement.  Each year of full-time employment teaching land surveying or other courses approved by the board as pertinent to the profession in which registration is sought in a school approved by the board is equivalent to one (1) year of active engagement;

(iii)  Each year of experience shall be of a professional nature under the supervision of a registered professional engineer or land surveyor, as appropriate, and of a character satisfactory to the board.

(d)  Experience credited by the board under this section and W.S. 33-29-124, 33-29-125 and 33-29-130 shall be attained under the direct supervision of a professional who is satisfactory to the board and registered in this state, another state or foreign country in the profession in which the applicant is seeking registration.

**33-29-127.  Application for registration.**

(a) A person desiring to practice engineering or land surveying shall apply for registration on a form prescribed by the board, subscribed under oath and accompanied by the application fee. If the evidence submitted satisfies the board that the applicant is fully qualified under W.S. 33-29-126 or 33-29-130 to practice the profession for which registration is asked, the applicant shall be given a certificate of registration, signed by the president and secretary of the board and attested by the official seal.

(b) If in the judgment of the board the applicant has not furnished satisfactory evidence of qualifications for registration under W.S. 33-29-126 or 33-29-130 the board may require additional data, or may require the applicant to submit to an additional oral or written examination specified by the board in its rules and regulations.

(c) If the application is denied, the application fee shall be retained by the board.

### **33-29-128. Fees.**

(a) The board shall publish in its rules a schedule of fees for applications, examinations and other miscellaneous services not to exceed the following:

(i) Two hundred dollars (\$200.00) for any single application. An application for professional engineer and land surveyor shall be considered as two (2) applications;

(ii) Two hundred dollars (\$200.00) for any single examination or part of an examination;

(iii) The cost of rendering other miscellaneous services.

### **33-29-129. Seals for registrants.**

(a) The board shall adopt and prescribe seals for use of registrants who hold valid certificates. Each seal shall bear the name of the registrant, shall state the profession in which he is permitted to practice and, in the case of engineering, the branch or branches of engineering in which he has demonstrated proficiency, and other data the board deems pertinent.

(b) Nonelectronic plans, specifications, plats or reports prepared by a registrant or his bona fide employee shall be issued under his seal.

(c) It is unlawful for a registrant whose certificate has expired or has been revoked or suspended to use the seal, or for a registrant to sign, stamp or seal any document not prepared by him or by an employee under his supervision.

(d) It is unlawful for any nonregistrant to cause or permit the illegal use of a registrant's seal, signature or stamp on any document prepared by the nonregistrant.

**33-29-130. Registration without examination.**

(a) The board may register without examination an applicant for professional engineer who holds a valid certificate of registration issued by another state or foreign country which has or had requirements for registration substantially similar to those of this state.

(b) An applicant for professional registration as a land surveyor who satisfies any one (1) of the requirements of subsection (a) of this section shall pass the part of the professional land surveyor examination relating to the surveying methods and legal principles in this state as prescribed by the board in its rules.

(c) The board may exempt an applicant from the in-training examination if he is a graduate of a school and curriculum approved by the board and has been actively engaged in experience in the profession for which registration is sought for at least twenty (20) years after graduation.

**33-29-131. Renewal of certificates; fees and penalties.**

(a) The board may establish a staggered system for renewing certificates of registration on a biennial basis.

(b) Certificates of registration are invalid after their expiration date unless renewed by payment of the required renewal fee. If the renewal fee is not paid prior to the expiration date, it shall be accompanied by a penalty fee established by the board based on the period of delinquency but the total fee shall not exceed the amount of the registration fee.

(c) The board may cancel a certificate of registration if it has remained invalid for two (2) years and require a new application, accompanied by the application fee for reregistration.

(d) The board shall establish the biennial renewal fee for each certificate issued pursuant to this act which shall not exceed two

hundred dollars (\$200.00).

**33-29-132. Revocation of certificate; censure; probation; hearing; notice of findings; appeal.**

(a) The board may take the following disciplinary actions, in combination or alternatively:

(i) Revocation of a certificate of registration;

(ii) Suspension of a certificate of registration;

(iii) Imposition of an administrative penalty in an amount not to exceed two thousand dollars (\$2,000.00) for each violation of this act or rules promulgated under this act to be collected, paid to the state treasurer and credited as provided in W.S. 8-1-109;

(iv) Imposition of restrictions on the scope of the registrant's professional practice;

(v) Imposition of peer review and professional education requirements;

(vi) Imposition of probation requirements best adapted to protect the public safety, health and welfare which may include a requirement for restitution payments to professional services clients or to other persons suffering economic loss resulting from violations of this act or rules promulgated under this act;

(vii) Issuance of a written reprimand.

(b) The board may take disciplinary action against the holder of a certificate under this act, upon proof satisfactory to the board that the person:

(i) Has engaged in any act inconsistent with uniform and reasonable standards of professional conduct as defined by board rules and regulations;

(ii) Has practiced fraud or misrepresentation:

(A) In obtaining a certificate of qualification, whether in the application or qualification examination;

(B) In submitting any information or record to the board; or

(C) In signing any document as a registered professional.

(iii) Is unfit to practice by reason of incompetence, habitual

or gross negligence or other misconduct in the practice of his profession;

(iv)  Has aided or abetted another to evade or violate this act or knowingly combining or conspiring with an unregistered person, or allowing one's registration to be used by an unregistered person or acting as agent, partner, associate or otherwise, for an unregistered person with intent to evade or violate this act;

(v)  Has had a license to practice engineering or land surveying in another jurisdiction, territory or possession of the United States denied, revoked, suspended or otherwise restricted other than by reason of failure to renew or meet education requirements;

(vi)  Has been found guilty by a court or has entered a plea of nolo contendere to a felony;

(vii)  Has knowingly engaged in an act which the registrant knew was beyond the scope of his professional practice as evidenced by limitations on the registrant's right to practice, or insufficient education and knowledge, or inability to apply engineering or land surveying principles and skills;

(viii)  Has violated this act, W.S. 33-29-140 through 33-29-149 or any provision of the rules or regulations of the board or any order of the board.

(c)  Upon reasonable grounds to believe that a person under the board's authority has committed acts in violation of this act, the board may conduct investigations, hearings and proceedings to determine whether a disciplinary action should be taken against the holder of a certificate under this act.  The board may issue subpoenas for the attendance of witnesses and the production of books, records, documents and other evidence it deems relevant to an investigation or hearing.  A disciplinary action may be informally settled by the board and the holder of a certificate under this act who is the subject of the action either before or after initiation of hearing proceedings.

(d)  The accused may appear personally or be represented by his attorney at the hearing and present witnesses and evidence in his defense and he may cross-examine witnesses against him.

(e)  The board shall immediately notify the clerk of each county in the state and the secretary of state, in the case of a corporation or firm, of the suspension or revocation of a certificate or of the reissuance of a suspended or revoked certificate.

(f)  Any person whose license has been denied, suspended or

revoked pursuant to this act may apply to the board after fulfilling those requirements determined by the board. □ The board may grant or deny the application or it may modify its original findings to reflect any circumstances that have changed sufficiently to warrant modifications.

(g) □ As a result of disciplinary action, the board may in addition to the other powers and duties, issue, renew or reinstate licenses subject to reasonable conditions which the board may impose.

(h) □ Decisions of the board are subject to judicial review as provided by law.

(j) □ Upon receipt from the department of family services of a certified copy of an order from a court to withhold, suspend or otherwise restrict a permit issued by the board, the board shall notify the party named in the court order of the withholding, suspension or restriction of the permit in accordance with the terms of the court order. No appeal under the Wyoming Administrative Procedure Act shall be allowed for a permit withheld, suspended or restricted under this subsection.

### **33-29-133. □ Confidentiality of records.**

Examination material, file records of examination grading and performance, transcripts of educational institutions, letters of inquiry and reference concerning applicants, board inquiry forms concerning applicants and investigation files of any investigation which is pending are confidential and not public records.

### **33-29-134. □ Practice by corporations.**

(a) □ The practice of or offer to practice professional engineering or professional land surveying by individual registered professional engineers or individual registered professional land surveyors, through a corporation, or by a corporation through individual registered professional engineers or individual registered professional land surveyors, as employees or officers, is permitted subject to the provisions of this act. □ All personnel of the corporation who act in its behalf as professional engineers or professional land surveyors in this state must be registered as provided by this act, or be persons lawfully practicing under the exceptions enumerated in W.S. 33-29-136. The corporation, except utilities regulated by the Wyoming public service commission, □ shall apply for and be issued a certificate of authorization by the board as provided by this act. □ No corporation shall be relieved of responsibility for the conduct or acts of its employees or officers by reason of its compliance with this act, nor shall any individual

practicing professional engineering or professional land surveying be relieved of responsibility for engineering or land surveying services performed by reason of his employment or relationship with the corporation. All final drawings, specifications, plats, reports, or other engineering or land surveying papers or documents involving the practice of professional engineering or professional land surveying, which are prepared or approved for the use of or for delivery to any person or for public record within this state shall be dated and bear the signature and seal of the professional engineer or professional land surveyor who prepared or approved them.

(b) A corporation desiring a certificate of authorization for engineering, for land surveying, or for both, shall file with the board a description of the engineering or land surveying service to be offered or practiced in the state, upon an application form prescribed by the board and the designation required by subsection (c) of this section accompanied by the application fee.

(c) The corporation shall file with the board a designation of an individual or individuals duly registered and certified to practice professional engineering or professional land surveying in the state who are responsible for or in charge of the practice of professional engineering or land surveying, as applicable, by the corporation in this state. If there is a change in the individual or individuals responsible or in charge, the changes shall be designated in writing and filed with the board within thirty (30) days after the effective date of the change.

(d) If all requirements of this act are met, the board shall issue a certificate of authorization for professional engineering, for land surveying or for both, to the corporation. The board may refuse to issue a certificate if any facts exist which would entitle the board to suspend or revoke an existing certificate.

(e) A professional engineer or professional land surveyor who renders occasional, part-time or consulting engineering or land surveying services to or for a firm may not be designated as the person in charge for the professional activities of the firm.

(f) Repealed by Laws 1989, ch. 86, § 2.

### **33-29-135. Public works.**

(a) Drawings, plans, specifications and estimates for public works of the state or a political subdivision thereof involving engineering or land surveying, shall be prepared by or under the personal direction of, and the construction of the works shall be executed under the direct supervision of a qualified registrant within

the category involved.

(b) Surveys or maps required in connection with land surveying shall be made by or under the personal direction of a qualified registrant.

**33-29-136. Exemptions and limitations.**

(a) Engineering or land surveying may be practiced without compliance with this act by:

(i) An officer or employee of the United States, practicing within the scope of his authority and employment except when filing water rights or water right petitions with the state of Wyoming as provided in title 41 of the Wyoming statutes;

(ii) An employee of a registrant or of a person exempt from registration, if the employment does not involve direct responsibility for design, inspection or supervision;

(iii) Any full-time employee of any corporation while doing work for that corporation, provided, that all maps, plats, plans or designs filed in any office of public record in the state of Wyoming shall be made and certified to by a registered professional engineer or professional land surveyor as provided by W.S. 33-29-139. This exemption does not apply to corporations offering their services to the public as professional engineers or professional land surveyors or to corporations engaged in designing and supervising the building of works for public or private interests not their own.

**33-29-137. Violations.**

(a) Any person who commits any of the following acts is guilty of a misdemeanor:

(i) Practices, offers to practice or by any implication holds himself out as qualified to practice as an engineer or land surveyor, who is not registered as provided by this act;

(ii) Advertises or displays a card, sign or other device which may indicate to the public that he is an engineer or land surveyor, or is qualified to practice as such, who is not registered as provided by this act;

(iii) Assumes the title of engineer or land surveyor, or uses a certificate of registration of another, or uses an expired, suspended or revoked certificate of registration;



(iv)  Presents false evidence to the board with the intent to obtain a certificate of registration;

(v)  Otherwise violating any provision of this act.

(b)  Anyone found guilty of a violation of this section shall be punished by a fine of not more than one thousand dollars (\$1,000.00), by imprisonment of not more than one (1) year, or both.

(c)  The county and prosecuting or district attorney of the county in which the misdemeanor is committed shall prosecute the case upon proper information of the board, or any other person interested.

**33-29-138.  Persons registered under previous law.**

(a)  Any individual holding a certificate of registration in this state that is valid on July 1, 1987, shall be deemed to be registered under this act.

(b)  Those registered under the provisions of subsection (a) of this section are eligible for renewal of their certificate of registration pursuant to renewal requirements established in this act and the rules and regulations adopted by the board.

**33-29-139.  Maps, plats, plans or designs for filing to be made and certified by professional engineer or surveyor; exception; size of maps.**

(a)  All maps, plats, plans or designs necessary to be filed in the state engineer's office, the office of state lands and investments, all county clerks offices, all city or town offices, or any other office of public record in the state of Wyoming, shall be made and certified by a professional engineer or land surveyor registered under this act.  Hardcopy originals must either be drawn in waterproof black ink or acetate ink, or be an acceptable photographic or other kind of reproduction on good quality tracing linen or a polyester base drafting film in a minimum thickness of four-thousandths (.004) inch, or as otherwise required by the receiving entity.  Maps formatted as required by the receiving entity may be submitted in electronic form as provided by the Uniform Electronic Transactions Act, W.S. 40-21-101 through 40-21-119. All maps, plats, plans or designs shall conform to one (1) of the following sizes and shall consist of one (1) original drawing together with one (1) print:

(i)  Size A - Eight and one-half (8 1/2) inches wide and eleven (11) inches long;

(ii) □ Size AA - Eight and one-half (8 1/2) inches wide and fourteen (14) inches long;

(iii) □ Size B - Fifteen (15) inches long and ten and three-fourths (10 3/4) inches wide. There shall be a minimum of one and one-half (1 1/2) inches margin on the left side of the short dimension for a binding edge; the remaining three (3) margins shall be one-fourth (1/4) inch each;

(iv) □ Size C - Thirty-six (36) inches long and twenty-two (22) inches wide. There shall be a minimum of one and one-half (1 1/2) inches margin on the left side of the short dimension for a binding edge; the remaining three (3) margins shall be one-half (1/2) inch each;

(v) □ Size D - Twenty-one and one-half (21 1/2) inches long and fifteen (15) inches wide. There shall be a minimum of one and one-half (1 1/2) inches on the left side of the long dimension to serve as a binding edge; the three (3) remaining margins shall be three-eighths (3/8) of an inch each;

(vi) □ Size E - Thirty (30) inches long and twenty-one and one-half (21 1/2) inches wide. There shall be a minimum of one and one-half (1 1/2) inches margin on the left side of the short dimension to serve as a binding edge; the remaining margins shall be one-half (1/2) inch each;

(vii) □ Size F - Forty (40) inches long and thirty-five (35) inches wide. There shall be margins of three-fourths (3/4) of an inch on all edges;

(viii) □ Size G - Twenty-four (24) inches by thirty-six (36) inches. There shall be a minimum of one and one-half (1 1/2) inches margin on the left side of the short dimension to serve as a binding edge; the three (3) remaining margins shall be one-half (1/2) inch each;

(ix) □ Size H - Eighteen (18) inches by twenty-four (24) inches. There shall be a minimum of one and one-half (1 1/2) inches on the left side of the long dimension to serve as a binding edge; the three (3) remaining margins shall be three-eighths (3/8) of an inch each.

(b) □ The requirement for certification of maps and plans by a registered engineer or land surveyor shall not apply, in the case of applications filed in the state engineer's office to construct small reservoirs for stock purposes only, fishing preserve waters where the capacity of such reservoir does not exceed twenty (20) acre feet or twenty (20) feet in fill height; to develop springs for stockwater purposes of up to twenty-five (25) gallons per minute; or to construct flood water detention dams storing fifty (50) acre feet or less and

not to exceed twenty (20) feet in fill height provided the dam has a minimum outlet of eighteen (18) inches diameter and the dead storage does not exceed twenty (20) acre feet.

(c)  The application may be signed by the applicant or an agent acting for him, and may be accompanied by aerial photographs or United States geological survey quadrangle maps of a scale conforming to the requirements of this act with designation thereon of the township, range, section, and section corner or quarter corner, and the location of the installation designated in the quarter section on the photographs or United States geological survey quadrangle maps and a description of:

(i)  The dam including height, width, depth, construction materials, depth to be submerged and height of the free board;

(ii)  The reservoir including length, width, average depth, submerged area and capacity;

(iii)  If aerial photographs or United States geological maps are submitted they must comply with the following requirements:

(A)  Two (2) aerial photographs or United States geological survey quadrangle maps mounted on eight (8) inch by ten (10) inch sheets must accompany each application;

(B)  The minimum scale on the aerial photographs or United States geological survey quadrangle maps must be not less than two (2) inches to the mile;

(C)  An identified section corner or quarter corner must be shown on each photograph or United States geological survey quadrangle map;

(D)  The entire section in which the facility is located must be shown on each photograph or United States geological survey map along with subdivision lines showing forty (40) acre tracts;

(E)  The location of the facility must be shown within the proper forty (40) acre subdivision.

(d)  All applications submitted under this act must comply with properly promulgated rules and regulations of the state engineer and the board of control not in conflict with this act.

**33-29-140.  Short title.**

W.S. 33-29-140 through 33-29-149 may be cited as the "Corner Perpetuation and Filing Act".

**33-29-141. Definitions.**

(a) Except where the context indicates a different meaning, terms used in W.S. 33-29-140 through 33-29-149 shall be defined as follows:

(i) A "property corner" is a geographic point on the surface of the earth, and is on, a part of, and controls a property line;

(ii) A "property controlling corner" for a property is a public land survey corner, or any property corner, which does not lie on a property line of the property in question, but which controls the location of one (1) or more of the property corners of the property in question;

(iii) A "public land survey corner" is any corner actually established and monumented in an original survey or resurvey used as a basis of legal description for issuing a patent for the land to a private person from the United States government;

(iv) A "corner", unless otherwise qualified, means a property corner, or a property controlling corner, or a public land survey corner, or any combination of these;

(v) An "accessory to a corner" is any exclusively identifiable physical object whose spatial relationship to the corner is recorded. Accessories may be bearing trees, bearing objects, monuments, reference monuments, line trees, pits, mounds, charcoal-filled bottles, steel or wooden stakes, or other objects;

(vi) A "monument" is an accessory that is presumed to occupy the exact position of a corner;

(vii) A "reference monument" is a special monument that does not occupy the same geographical position as the corner itself, but whose spatial relationship to the corner is recorded and which serves to witness the corner;

(viii) A "registered land surveyor" is a surveyor who is registered to practice land surveying under W.S. 33-29-114 through 33-29-139, and has a current certificate for that calendar year;

(ix) The "board" is the state board of registration for professional engineers and professional land surveyors.

**33-29-142. Completion of "corner file".**

A surveyor shall complete, sign, and file with the county clerk where the corner is situated, a written record of corner establishment or

restoration to be known as a "corner file" for every public land survey corner and accessory to such corner which is established, reestablished, monumented, remonumented, restored, rehabilitated, perpetuated or used as control in any survey by such surveyor, and within ninety (90) days thereafter, unless the corner and its accessories are substantially as described in an existing corner record filed in accordance with the provisions of W.S. 33-29-140 through 33-29-149.

**33-29-143.  Filing of corner reference.**

A surveyor may file such corner record as to any property corner, property controlling corner, reference monument or accessory to a corner.

**33-29-144.  Information to be included in corner file; form.**

The board shall by regulation provide and prescribe the information which shall be necessary to be included in the corner file and the board shall prescribe the form in which the corner record shall be presented and filed.

**33-29-145.  Preservation of map records; public inspection.**

(a)  The county clerk of the county containing the corners, as part of his files, shall have on record maps of each township within the county, the bearings and lengths of the connecting lines to government corners and government corners looked for and not found. These records shall be preserved in hardbound books in numerical order as filed.

(b)  The county clerk shall make these records available for public inspection during all usual office hours.

(c)  The filing fee for each corner record or certificate is one dollar (\$1.00) as provided in W.S. 18-3-402(a)(xvi)(Q) and each record or certificate shall apply to only one (1) corner.

**33-29-146.  Reconstruction or rehabilitation of monument.**

In every case where a corner record of a public land survey corner is required to be filed under the provisions of W.S. 33-29-140 through 33-29-149, the surveyor must reconstruct or rehabilitate the monument of such corner, and accessories to such corner, so that the same shall be left by him in such physical condition that it remains as permanent a monument as is reasonably possible and so that the same may be reasonably expected to be located with facility at all times in the future.

**33-29-147.  Signature on corner record required.**

No corner record shall be filed unless the same is signed by a registered land surveyor, or, in the case of an agency of the United States government or the state of Wyoming, the certificate may be signed by the survey party chief making the survey.

**33-29-148. □ Previously existing corners.**

Corner records may be filed concerning corners established, reestablished or restored before the effective date of W.S. 33-29-140 through 33-29-149.

**33-29-149. □ Exemption from filing fees.**

All filings relative to official cadastral surveys of the bureau of land management of the United States of America performed by authorized personnel shall be exempt from filing fees.