

2024 Regular Session

HOUSE BILL NO. 713

BY REPRESENTATIVE GADBERRY

SURVEYORS: Provides relative to the practice of land surveying

1 AN ACT

2 To amend and reenact R.S. 37:682(14) and 711.2(14) and to enact R.S. 37:702(8), relative
3 to the practice of land surveying; to provide for definitions; to provide for a saving
4 clause; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:682(14) and 711.2(14) are hereby amended and reenacted and
7 R.S. 37:702(8) is hereby enacted to read as follows:

8 §682. Definitions

9 The following words and phrases when used in this Chapter shall have the
10 following meaning, unless the context clearly requires otherwise:

11 * * *

12 (14)(a) "Practice of land surveying" ~~include the measuring of areas, land~~
13 ~~surfaces, streams, bodies of water, and swamps for correct determination and~~
14 ~~description, for the establishment, reestablishment, ascertainment, or description of~~
15 ~~land boundaries, corners, divisions, distances, and directions, the plotting and~~
16 ~~monumenting of lands and subdivisions thereof, and mapping and topographical~~
17 ~~work.~~ means providing, or offering to provide, professional services using such
18 sciences as mathematics, geodesy, and photogrammetry, and involving both of the
19 following:

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (i) The making of geometric measurements and gathering related information
2 pertaining to the physical or legal features of the earth, improvements on the earth,
3 the space above, on, or below the earth, or within bodies of water, whether the
4 making of measurements or the gathering of information for the providing of these
5 services is accomplished by conventional ground measurements, by photography, by
6 Light Detection and Ranging (LIDAR), by global positioning via satellites, or by a
7 combination of any of these methods.

8 (ii) Providing, utilizing, or developing the same into survey products such
9 as graphics, data, maps, plans, reports, descriptions, or projects.

10 (b) Professional services include acts of consultation, investigation,
11 testimony, evaluation, expert technical testimony, planning, mapping, assembling,
12 and interpreting gathered measurements and information related to one or more of
13 the following:

14 (i) Determining by measurement the configuration or contour of the earth's
15 surface or the position of fixed objects thereon.

16 (ii) Determining by performing geodetic surveys the size and shape of the
17 earth or the position of any point on the earth.

18 (iii) Locating, relocating, establishing, reestablishing, or retracing property
19 lines or boundaries of any tract of land, road, right-of-way, servitude, or easement.

20 (iv) Making any survey for the division, subdivision, or consolidation of any
21 tract of land.

22 (v) Locating or laying out alignments, positions, or elevations for the
23 construction of fixed works, when the location of the fixed works has a direct
24 relationship to a property boundary.

25 (vi) Determining, by the use of principles of land surveying, the position for
26 any survey monument (boundary or geodetic) or reference point; establishing or
27 replacing any such monument or reference point.

1 certification from the American Society for Photogrammetry and Remote Sensing
2 or an active GIS professional certification from the GIS Certification Institute.

3 (d) The practice of providing Light Detection and Ranging (LIDAR) system
4 design or services, when performed by a photogrammetrist/LIDAR professional
5 holding an active mapping scientist-LIDAR certification from the American Society
6 for Photogrammetry and Remote Sensing.

7 (e) The practice of providing Unmanned Aerial System (UAS) design or
8 services, when performed by a photogrammetrist/UAS professional holding an active
9 mapping scientist-UAS certification from the American Society for Photogrammetry
10 and Remote Sensing.

11 (f) The practice of geoscience, when performed by a geoscientist holding an
12 active license from the Louisiana Board of Professional Geoscientists.

13 * * *

14 §711.2. Definitions

15 The following words and phrases when used in this Chapter shall have the
16 following meanings, unless the context clearly requires otherwise:

17 * * *

18 ~~(14)(a) "Practice of land surveying" includes the measuring of areas, land~~
19 ~~surfaces, streams, bodies of water, and swamps for correct determination and~~
20 ~~description, for the establishment, reestablishment, ascertainment, or description of~~
21 ~~land boundaries, corners, divisions, distances, and directions, the plotting and~~
22 ~~monumenting of lands and subdivisions thereof, and mapping and topographical~~
23 ~~work.~~

24 ~~(b) A person shall be construed to practice or offer to practice land surveying~~
25 ~~who engages in land surveying and who by verbal claim, sign, advertisement,~~
26 ~~letterhead, card, or in any other way represents himself to be a land surveyor, or who~~
27 ~~represents himself as able to perform or who does perform any land surveying~~
28 ~~service or work, or any other service designated by the practitioner which is~~

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

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

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

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

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

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

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

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

Proposed law adds that present and proposed law shall not be construed to prevent or to affect the practice of providing Unmanned Aerial System (UAS) design or services, when

performed by a photogrammetrist/UAS professional holding an active mapping scientist-UAS certification from the American Society for Photogrammetry and Remote Sensing.

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

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