



TITLE 15, BUSINESS OCCUPATIONS AND PROFESSIONS, ANNOTATED CODE OF MARYLAND

§15–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Board” means the State Board for Professional Land Surveyors.
- (c) “Council” means the National Council of Examiners for Engineering and Surveying.
- (d) “Design coordination” means the review and coordination of services provided by individuals licensed or certified under Titles 3, 8, 9, 14, and 15 of this article.
- (e) “Land surveyor” means an individual who practices land surveying.
- (f) (1) “License” means, unless the context requires otherwise, a license issued by the Board to practice:
 - (i) land surveying; or
 - (ii) property line surveying.
- (2) “License” includes, unless the context requires otherwise:
 - (i) a license to practice land surveying; and
 - (ii) a license to practice property line surveying.
- (g) “License fee” means, as applicable, the fee paid in connection with the issuance and renewal of a license and the issuance of a limited license, temporary license, and reciprocal license.
- (h) “Licensed property line surveyor” means, unless the context requires otherwise, a property line surveyor who is licensed by the Board to practice property line surveying.
- (i) “Permit” means, unless the context requires otherwise, a permit issued by the Board to allow a

corporation or partnership to operate a business through which an individual may practice land surveying or property line surveying.

(j) "Permit fee" means, as applicable, the fee paid in connection with the issuance and renewal of a permit.

(k) (1) "Practice land surveying" means providing or offering to provide professional services that require the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the requirements of the relevant law to authoritatively determine, regardless of the technology or method used, the accurate and precise location of a feature, object, or boundary of real property with reference to the surface of the earth, space above the surface of the earth, or underground.

(2) "Practice land surveying" includes:

(i) measuring, platting, and locating lines, angles, elevations, natural or artificial features in the air, on the surface of the earth, in underground work, and on the beds of bodies of water for the purpose of determining and reporting positions, topography, areas, and volumes;

(ii) the describing, platting or replatting, establishing or reestablishing, locating or relocating, or setting or resetting the monumentation for boundaries of real property, easements, or rights-of-way;

(iii) platting, layout, and preparation of surveys, plats, plans, and drawings, including:

1. site plans;
2. subdivision plans;
3. subdivision plats;
4. condominium plats;
5. right-of-way and easement plats; and
6. other recordable plats;

(iv) conducting horizontal and vertical control surveys, layout or stake-out of proposed construction, and the preparation and platting of as-constructed surveys;

(v) utilizing measurement devices or systems, such as aerial photogrammetry, global positioning systems, land information systems, geographic information systems, or similar technology for evaluation or location of boundaries of real property, easements, or rights-of-way; and

(vi) in conjunction with the site development or subdivision of land, the preparation and design of plans for the following projects, provided that such preparation and design are in accordance with design manuals, details, and standards accepted by the State or local authority:

1. road and street grades;
2. sediment and erosion control measures;

3. nonpressurized closed storm drainage and stormwater management systems; and
4. open conduit storm drainage and stormwater management systems.

(3) “Practice land surveying” does not include the design, preparation, or specifications for:

- (i) community water or wastewater treatment collection or distribution systems;
- (ii) community pumping or lift stations; or

(iii) geotechnical or structural design components of sediment control or stormwater management ponds or basins.

(l) (1) “Practice property line surveying” means to practice land surveying, except for the services excluded under paragraph (2) of this subsection.

(2) “Practice property line surveying” does not include the performance of the services described in subsection (k)(1)(vi) of this section.

(m) “Professional land surveyor” means, unless the context requires otherwise, a land surveyor who is licensed by the Board to practice land surveying.

(n) “Property line surveyor” means an individual who practices property line surveying.

(o) “Responsible charge” means direct control and personal direction of the investigation, design, construction, or operation of land surveying work that requires initiative, professional skill, and independent judgment.

§15–102.

(a) A professional land surveyor may render or offer to render land surveying services described in § 15–101(j) of this subtitle.

(b) A licensed property line surveyor may render or offer to render property line surveying services described in § 15–101(k) of this subtitle.

(c) A professional land surveyor or a property line surveyor, as applicable, may perform design coordination for a project or portion of a project provided that the professional land surveyor or the property line surveyor:

(1) holds a current license issued by the Board; and

(2) has adequate experience in, and understanding of, achieving the purpose of the project or portion of the project being coordinated.

§15–201.

There is a State Board for Professional Land Surveyors in the Department.

§15–202.

(a) (1) The Board consists of 6 members.

(2) Of the 6 members of the Board:

(i) 3 shall be professional land surveyors;

(ii) 1 shall be a licensed property line surveyor or a professional land surveyor; and

(iii) 2 shall be consumer members.

(3) The Governor shall appoint the members with the advice of the Secretary and with the advice and consent of the Senate.

(4) The Governor may appoint each of the professional members from a list of at least 3 names submitted to the Secretary by the Maryland Society of Surveyors.

(b) Each consumer member of the Board:

(1) shall be a member of the general public;

(2) may not be a licensee or otherwise be subject to regulation by the Board;

(3) may not be required to meet the qualifications for the professional members of the Board; and

(4) may not, within 1 year before appointment, have had a financial interest in or have received compensation from a person regulated by the Board.

(c) While a member of the Board, a consumer member may not:

(1) have a financial interest in or receive compensation from a person regulated by the Board; or

(2) grade any examination given by or for the Board.

(d) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(e) (1) The term of a member is 5 years and begins on July 1.

(2) The terms of members are staggered as required by the terms provided for members of the Board on October 1, 1989.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(f) (1) The Governor may remove a member for incompetence, misconduct, neglect of duties, or other

good cause.

(2) Except as provided in paragraph (3) of this subsection and subject to paragraph (4) of this subsection, a member shall be considered to have resigned if the member did not attend at least two-thirds of the Board meetings held during any consecutive 12-month period while the member was serving on the Board.

(3) The Governor may waive a member's resignation and allow the member to continue serving if the member has been unable to attend meetings for reasons satisfactory to the Governor and the reasons are made public.

(4) In accordance with § 8-501 of the State Government Article, the chairman shall provide notice to the Governor and the Governor shall appoint a successor.

§15-203.

- (a) From among the members of the Board, the Governor shall appoint a chairman.
- (b) From among its members, the Board annually shall elect a vice chairman and a secretary.
- (c) The manner of election of officers shall be as the Board determines.

§15-204.

- (a) A majority of the authorized membership of the Board is a quorum.
- (b) The Board shall determine the times and places of its meetings.
- (c) A member of the Board:

(1) may not receive compensation; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

- (d) The Board may employ a staff in accordance with the State budget.

§15-204.1.

At least annually, the chairman of the Board, the chairman of the State Board of Architects, the chairman of the State Board of Certified Interior Designers, the chairman of the State Board of Examiners of Landscape Architects, and the chairman of the State Board for Professional Engineers shall meet to discuss issues of mutual importance to the design professions.

§15-205.

- (a) The Board shall adopt a code of ethics for practicing land surveying.
- (b) The Board shall distribute:
 - (1) a copy of the code of ethics to each applicant for a license; and

(2) as the Board considers necessary, a copy of any amendment to the code of ethics to each licensee.
§15–206.

(a) The Board shall administer and enforce this title.

(b) The Board may issue a subpoena for the attendance of a witness to testify or the production of evidence in connection with:

(1) any disciplinary action under § 15-317 of this title; or

(2) any proceeding brought for an alleged violation of this title.

(c) (1) The Board may sue to enforce any provision of this title by injunction.

(2) In seeking an injunction under this subsection, the Board is not required to:

(i) post bond; or

(ii) allege or prove either that:

1. an adequate remedy at law does not exist; or

2. substantial or irreparable damage would result from the continued violation of the provision.

(3) A member of the Board may not be held personally liable for any action taken under this subsection in good faith and with reasonable grounds.

§15–207.

(a) On request of any person and payment of a verification fee set by the Board, the Board shall certify the licensing or permit status and qualifications of any person who is the subject of the request.

(b) Each certification under this section:

(1) shall include a statement of the licensing or permit status of the person who is the subject of the request; and

(2) may include:

(i) information about the examination results and other qualifications of that person;

(ii) information about the dates of issuance and renewal of the license or permit of that person;

(iii) information about any disciplinary action taken against that person; and

(iv) if authorized by that person, information about any complaint against that person.

§15–208.

(a) In addition to any powers set forth elsewhere, the Board may adopt:

- (1) any bylaw for the conduct of the proceedings of the Board; and
- (2) any regulation to carry out this title.

(b) In addition to any duties set forth elsewhere, the Board shall:

- (1) adopt a seal;
- (2) determine a type of marker, monument, stake, or other landmark that a licensee shall use in practicing land surveying and practicing property line surveying;
- (3) keep a record of its proceedings; and
- (4) by regulation, formalize minimum standards of practice for licensees.

§15–208.1.

(a) (1) The Board shall maintain a listing of the names and mailing addresses of all licensees and permit holders.

(2) The Board may release this list to the public.

(b) The licensee or permit holder shall designate the address at the time of issuance of the original license or permit and on the renewal of the license or permit.

(c) (1) The Board shall provide all licensees, certificate holders, and code officials with a periodic newsletter not less than semiannually on the activities of the Board.

(2) The Board shall publish, on the Department website, the newsletter jointly with the State Board for Professional Engineers, the State Board of Architects, the State Board of Certified Interior Designers, and the State Board of Examiners of Landscape Architects.

§15–209.

(a) (1) The Board may set reasonable fees for its services.

(2) The fees charged shall be set so as to produce funds to approximate the cost of maintaining the Board and shall be based on the calculations performed by the Secretary under § 2–106.2 of the Business Regulation Article.

(b) The Board shall publish the fee schedule set by the Board by regulation.

(c) (1) The Board shall pay all fees collected under this title to the Comptroller of the State.

(2) The Comptroller shall distribute the fees to the State Occupational and Professional Licensing Design Boards' Fund established in § 2–106.1 of the Business Regulation Article.

§15–210.

Any person aggrieved by any final action of the Board may take an appeal as allowed in §§ 10-222 and 10-223 of the State Government Article.

§15–211.

The Board exercises its powers, duties, and functions subject to the authority of the Secretary.

§15–301.

(a) (1) Except as otherwise provided in this title, an individual shall be licensed by the Board to practice land surveying before the individual may practice land surveying in the State.

(2) Except as otherwise provided in this title, an individual shall be licensed by the Board to practice property line surveying before the individual may practice property line surveying in the State.

(b) This section does not apply to:

(1) an individual who practices land surveying while performing official duties as an officer or employee of the federal government;

(2) an employee or other subordinate of a licensee, while the subordinate practices land surveying or practices property line surveying under the conditions authorized under § 15–303(a)(1)(i) or (2)(i) of this subtitle;

(3) an employee of an individual who is not licensed but who, nevertheless, is authorized to practice land surveying or to practice property line surveying, while the employee practices land surveying or practices property line surveying under the conditions authorized under § 15–303(a)(1)(ii) or (2)(ii) of this subtitle; or

(4) an individual who utilizes measurement devices or systems, regardless of the technology or methods used, for the exclusive purpose of determining topography and contours, provided that the individual is certified by an entity acceptable to the Board.

§15–302.

(a) On and after July 1, 1990, the Board may not issue a license to practice property line surveying.

(b) Notwithstanding subsection (a) of this section, an individual who is licensed as a property line surveyor as of June 30, 1990, may continue to renew the license as provided under § 15-314 of this subtitle.

§15–303.

(a) (1) Subject to this section, the following individuals may practice land surveying without a license:

(i) an employee or other subordinate of a professional land surveyor; and

(ii) an employee of an individual who is not licensed but is otherwise authorized under this title to practice land surveying without supervision.

(2) Subject to this section, the following individuals may practice property line surveying without a license:

(i) an employee or other subordinate of a licensed property line surveyor; and

(ii) an employee of an individual who is not licensed but is otherwise authorized under this title to practice property line surveying without supervision.

(b) The authority to practice land surveying or property line surveying under this section applies only if the licensee or other authorized individual has, with respect to the investigation, design, construction, and operation of the surveying work of the employee or other subordinate, direct control and personal direction that requires initiative, professional skill, and independent judgment.

§15–304.

(a) To qualify for a license, an applicant shall be an individual who meets the requirements of this section.

(b) The applicant shall be of good character and reputation.

(c) An applicant for a license to practice land surveying shall meet the educational and experience requirements under § 15-305 of this subtitle.

(d) Except as otherwise provided in this subtitle, an applicant shall pass each examination required under this subtitle.

§15–305.

(a) In addition to the other qualifications for a license to practice land surveying, an applicant shall qualify under this section by meeting the educational, experience, and examination requirements set forth in subsection (b), (c), (d), (e), or (f) of this section.

(b) An applicant qualifies under this section if the applicant:

(1) has graduated on completion of at least a 4–year curriculum in land surveying that the Board approves from a college or university that is accredited by, or is a constituent unit of an institution accredited by, the Middle States Association of Colleges and Schools or the equivalent regional accrediting association of other regional areas;

(2) has at least 2 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(3) has passed the following examinations:

(i) fundamentals of surveying;

(ii) the principles and practice of surveying; and

(iii) unless excused by the Board, State–specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(c) (1) An applicant qualifies under this section if the applicant:

(i) has graduated on completion of at least a 4-year curriculum in physical sciences or applied sciences from a college or university that is accredited by, or is a constituent unit of an institution accredited by, the Middle States Association of Colleges and Schools or the equivalent regional accrediting association of other regional areas;

(ii) subject to paragraph (2) of this subsection, has at least 4 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(iii) has passed the following examinations:

1. fundamentals of surveying;
2. the principles and practice of surveying; and

3. unless excused by the Board, State-specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(2) For each 30 semester hours or its equivalent that an applicant completes in land surveying-related courses that the Board approves, the Board may allow a 1-year credit towards the experience requirements of paragraph (1)(ii) of this subsection for a maximum of 3 years.

(d) (1) An applicant qualifies under this section if the applicant:

(i) has graduated on completion of at least a 4-year curriculum from a college or university that is accredited by, or is a constituent unit of an institution accredited by, the Middle States Association of Colleges and Schools or the equivalent regional accrediting association of other regional areas;

(ii) has a minimum of 30 credit hours of land surveying-related courses that the Board approves;

(iii) subject to paragraph (2) of this subsection, has at least 4 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(iv) has passed the following examinations:

1. fundamentals of surveying;
2. the principles and practice of surveying; and

3. unless excused by the Board, State-specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(2) For each additional 30 semester hours or its equivalent that an applicant completes in land surveying-related courses that the Board approves, the Board may allow a 1-year credit towards the experience requirements of paragraph (1)(iii) of this subsection for a maximum of 3 years.

(e) (1) An applicant qualifies under this section if the applicant:

(i) is a high school graduate or the equivalent;

(ii) has a minimum of 30 credit hours of land surveying–related courses that the Board approves;

(iii) subject to paragraph (2) of this subsection, has at least 6 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(iv) has passed the following examinations:

1. fundamentals of surveying;

2. the principles and practice of surveying; and

3. unless excused by the Board, State–specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(2) For each additional 30 semester hours or its equivalent that an applicant completes in land surveying–related courses that the Board approves, the Board may allow a 1–year credit towards the experience requirements of paragraph (1)(iii) of this subsection for a maximum of 3 years.

(f) (1) An applicant qualifies under this section if the applicant:

(i) applies for a license on or before December 31, 2025;

(ii) is a high school graduate or the equivalent;

(iii) subject to paragraph (2) of this subsection, has at least 9 years of experience in land surveying that is satisfactory to the Board and that indicates to the Board that the applicant may be competent to practice land surveying; and

(iv) has passed the following examinations:

1. fundamentals of surveying;

2. the principles and practice of surveying; and

3. unless excused by the Board, State–specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(2) For each 30 semester hours or its equivalent that an applicant completes in land surveying–related courses that the Board approves, the Board may allow a 1–year credit towards the experience requirements of paragraph (1)(iii) of this subsection for a maximum of 3 years.

§15–306.

(a) An applicant for a license shall:

- (1) submit to the Board:
 - (i) an application on the form that the Board provides; and
 - (ii) any relevant document that the Board requires; and
 - (2) pay to the Board or the Board's designee:
 - (i) a nonrefundable application fee set by the Board; and
 - (ii) an examination fee set by the Board in an amount not to exceed the cost of the required examination.
- (b) (1) The application form shall require:
- (i) a statement about the education of the applicant;
 - (ii) a statement about the experience of the applicant in land or property line surveying;
 - (iii) a list of at least 5 references that, unless excused by the Board, shall include:
 1. for a land surveyor applicant, at least 3 professional land surveyors who have personal knowledge of the applicant's land surveying experience; and
 2. for a property line surveyor applicant, at least 3 individuals, each of whom:
 - A. is either a professional land surveyor or a licensed property line surveyor; and
 - B. has personal knowledge of the applicant's property line surveying experience; and
 - (iv) any other relevant information that the Board requires.
- (2) An application shall be made under oath.
- (c) If the Board finds that an application form and the accompanying documentation do not demonstrate that the applicant meets the requirements for a license under this subtitle, the Board may require the applicant to submit additional information or documentation.

§15-307.

- (a) Except as otherwise provided in § 15-307.1 of this subtitle, an applicant who otherwise qualifies for a license is entitled to be examined as provided in this section.
- (b) The Board periodically shall give the examinations required under this subtitle to qualified applicants at the times and places that the Board determines.
- (c) The Board shall give each qualified applicant notice of the time and place of examination.
- (d) As provided for applicants for a license to practice land surveying under § 15-305 of this subtitle, the Board shall give the following separate examinations:

- (1) the fundamentals of surveying;
- (2) the principles and practice of surveying; and
- (3) unless excused by the Board, State-specific examination modules specified and approved by the Board that pertain to the practice of surveying in the State.

(e) (1) The Board shall determine the subjects, scope, and form of and method of grading and passing scores for the examinations given under this subtitle.

(2) The Board shall structure the examinations to test the ability of an applicant to design, plan, and direct land surveying in order to ensure the safety of life, health, and property.

§15-307.1.

(a) The Board may use a testing service to administer the examinations given under this title.

(b) If the Board uses a testing service, the testing service, subject to the requirements set by the Board, may:

- (1) set the time and place of examinations;
- (2) give qualified applicants notice of the time and place of examinations; and
- (3) furnish any other information that the Board may require the testing service to provide.

§15-308.

(a) If an applicant fails an examination given under this subtitle, the Board or its designee shall provide notice of the failure to the applicant.

(b) (1) Subject to this subsection, an applicant who fails an examination may review the applicant's examination in accordance with the Council's review policies unless the policies have been otherwise amended by the Board.

(2) To conduct a review under this subsection, an applicant shall submit a written request to the Board within 60 days after the date the applicant is notified of the applicant's failure of the examination.

(3) An applicant who does not request review in accordance with paragraph (2) of this subsection waives the right to review under this subsection.

(c) The Board shall confirm the test score of any applicant who fails an examination given under this subtitle if the applicant submits a written request to the Board.

§15-309.

(a) Subject to this section, if an applicant fails an examination given under this subtitle, the applicant may retake the examination in accordance with the Council's reexamination policies unless the policies have been otherwise amended by the Board.

(b) An applicant for reexamination shall:

(1) submit to the Board a request for reexamination on the form that the Board provides; and

(2) pay to the Board or the Board's designee a reexamination fee set by the Board in § 15–306(a)(2) of this subtitle.

(c) The Board may adopt regulations to set conditions for retaking examinations, including requirements that an applicant:

(1) wait a reasonable period after failing an examination; and

(2) provide evidence acceptable to the Board of updated experience or education.

(d) (1) A reexamination fee paid under subsection (b)(2) of this section is not refundable.

(2) If an applicant does not take the reexamination that the applicant asked to take, the Board shall credit that fee toward any reexamination that the applicant later takes.

§15–311.

(a) Subject to the provisions of this section, the Board may waive any examination requirement or any part of an examination requirement of this subtitle for an individual who is licensed to practice land surveying in another state.

(b) The Board may grant a waiver under this section only if the applicant:

(1) is of good character and reputation;

(2) pays to the Board:

(i) the nonrefundable application fee set by the Board under § 15–306 of this subtitle; and

(ii) the license fee set by the Board; and

(3) provides adequate evidence that, at the time the applicant was licensed by the other state, the applicant met requirements that were equivalent to those then required by the laws of this State.

(c) The Board may require an applicant under this section to:

(1) pass the State-specific part of an examination; and

(2) pass any part of a nationally administered examination that the applicant has previously failed.

§15–312.

(a) If an applicant qualifies for a license under this subtitle, the Board shall send the applicant a notice that states that:

(1) the applicant has qualified for a license; and

(2) the Board will issue a license to the applicant, on receipt of a license fee set by the Board.

(b) On payment of the license fee, the Board shall issue a license to each applicant who meets the requirements of this subtitle.

(c) The Board shall include on each license that the Board issues:

(1) the full name of the licensee;

(2) the registration number assigned by the Board to the licensee; and

(3) the signatures of the chairman and secretary of the Board, under seal of the Board.

(d) Subject to any regulation that the Board adopts, it shall replace any lost, mutilated, or destroyed license certificate on:

(1) request of the licensee; and

(2) payment of the replacement fee set by the Board.

§15–313.

(a) While a license to practice land surveying is in effect, it authorizes the licensee to practice land surveying.

(b) While a license to practice property line surveying is in effect, it authorizes the licensee to practice property line surveying.

§15–314.

(a) Unless a license is renewed for a 2–year term as provided in this section, the license expires on the first June 30 that comes:

(1) after the effective date of the license; and

(2) in an odd–numbered year.

(b) (1) At least 1 month before a license expires, the Board shall mail or electronically transmit to the licensee:

(i) a renewal application form; and

(ii) a notice that states:

1. the date on which the current license expires; and

2. the amount of the license fee.

(2) If an electronic transmission under paragraph (1) of this subsection is returned to the Board as undeliverable, the Board shall mail to the licensee, at the last known address of the licensee, the materials required under paragraph (1) of this subsection within 10 business days of the date the Board received the notice that the electronic transmission was undeliverable.

(3) The failure of a licensee to receive the notice for which this subsection provides does not prevent the license from expiring as specified under subsection (a) of this section.

(c) Before a license expires, the licensee periodically may renew it for an additional 2-year term, if the licensee:

- (1) otherwise is entitled to be licensed;
- (2) pays to the Board a license fee set by the Board; and
- (3) submits to the Board a renewal application on the form that the Board provides.

(d) (1) The Board shall renew the license of and issue a renewal certificate to each licensee who meets the requirements of this section.

(2) The Board shall include on each renewal certificate that the Board issues:

- (i) the date on which the current license expires; and
- (ii) the signatures of the chairman and secretary of the Board, under seal of the Board.

(e) The Secretary may determine that licenses issued under this subtitle shall expire on a staggered basis.

(f) The Board shall adopt regulations to require a demonstration of continuing professional competency for a licensee as a condition of renewal of a license under this section in accordance with the following:

- (1) a continuing professional competency requirement does not apply to the first renewal of a license;
- (2) if a license expires on or before September 30, 2002, a professional land surveyor or licensed property line surveyor is not required to fulfill the continuing professional competency requirement;

(3) if a license expires between October 1, 2002 and September 30, 2003, a professional land surveyor or licensed property line surveyor is required to fulfill 50 percent of the continuing professional competency requirement as provided in the regulations adopted by the Board under this subsection; and

(4) if a license expires on or after October 1, 2003, a professional land surveyor or licensed property line surveyor is required to fulfill the full continuing professional competency requirement as provided in the regulations adopted by the Board under this subsection.

§15-315.

(a) The Board shall reinstate the license of an individual who, for any reason, has failed to renew the license if the individual:

- (1) applies to the Board for reinstatement within 2 years after the license expires;

(2) meets the renewal requirements of § 15–314 of this subtitle; and

(3) except as otherwise provided in subsection (d) of this section, pays to the Board a reinstatement fee set by the Board.

(b) (1) If an individual has failed to renew a license to practice land surveying for any reason and then applies to the Board for reinstatement more than 2 years after the license has expired, the Board:

(i) may require the individual to reapply for a license in the same manner as an applicant applies for an original license under this subtitle; or

(ii) subject to paragraph (2) of this subsection, may reinstate the license.

(2) The Board may reinstate a license under paragraph (1) of this subsection only if the individual:

(i) meets the renewal requirements of § 15–314 of this subtitle;

(ii) if required by the Board, states reasons why reinstatement should be granted; and

(iii) except as otherwise provided in subsection (d) of this section, pays to the Board a reinstatement fee set by the Board.

(c) (1) If an individual has failed to renew a license to practice property line surveying for any reason and then applies to the Board for reinstatement more than 2 years after the license has expired, the Board, subject to paragraph (2) of this subsection, may reinstate the license.

(2) The Board may reinstate a license under paragraph (1) of this subsection only if the individual:

(i) meets the renewal requirements of § 15–314 of this subtitle;

(ii) if required by the Board, states reasons why reinstatement should be granted; and

(iii) except as otherwise provided in subsection (d) of this section, pays to the Board a reinstatement fee set by the Board.

(d) The Board may waive a reinstatement fee for a licensee who provides evidence satisfactory to the Board that the licensee did not practice land surveying or property line surveying, as appropriate, during the time the license lapsed.

§15–316.

(a) The Board may issue a retired status license to an individual who:

(1) is currently licensed in Maryland as a professional land surveyor or a property line surveyor;

(2) has been either licensed as a professional land surveyor or a property line surveyor or was authorized to practice land surveying or property line surveying under § 15-303 of this subtitle for at least 25 years, of which 5 years were in Maryland;

(3) is not the subject of a pending disciplinary action related to the practice of land surveying or property line surveying in this or another state;

(4) submits to the Board an application on the form provided by the Board; and

(5) pays to the Board a fee, as set by the Board.

(b) (1) The holder of a retired status license issued under this section may not engage in the practice of professional land surveying or property line surveying.

(2) The holder of a professional land surveyor retired status license may use the designation of "retired professional land surveyor".

(3) The holder of a property line surveyor retired status license may use the designation of "retired property line surveyor".

(c) The Board may reactivate the license of the holder of a retired status license if that individual:

(1) submits to the Board an application for reactivation on the form approved by the Board;

(2) meets all continuing competency requirements, not exceeding 48 credit hours, that would have been required for renewal of a license under § 15–314 of this subtitle if the licensee had not been placed on retired status;

(3) pays to the Board a reactivation fee as set by the Board; and

(4) is not the subject of a pending disciplinary action related to the practice of land surveying or property line surveying in this or any other state.

§15–317.

(a) (1) Subject to the hearing provisions of § 15–319 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if:

(i) the applicant or licensee fraudulently or deceptively obtains, renews, or attempts to obtain or renew a license or permit for the applicant or licensee or for another;

(ii) the applicant or licensee fraudulently or deceptively uses a license;

(iii) under the laws of the United States or of any state, the applicant or licensee is convicted of:

1. a felony; or

2. a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice land surveying or property line surveying;

(iv) the applicant or licensee is guilty of gross negligence, incompetence, or misconduct while practicing land surveying or property line surveying;

(v) the applicant or licensee violates any regulation adopted by the Board;

(vi) the applicant or licensee violates any provision of this title; or

(vii) the applicant or licensee has had a license to practice land surveying or property line surveying in another state revoked or suspended by the other state for a cause that would justify revocation or suspension under this title, except for the failure to pay a license fee.

(2) (i) Instead of or in addition to reprimanding a licensee or suspending or revoking a license under this subsection, the Board may impose a penalty not exceeding \$5,000 for each violation.

(ii) To determine the amount of the penalty imposed under this subsection, the Board shall consider:

1. the seriousness of the violation;
2. the harm caused by the violation;
3. the good faith of the licensee; and
4. any history of previous violations by the licensee.

(3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.

(b) The Board shall consider the following facts in the granting, denial, renewal, suspension, or revocation of a license or the reprimand of a licensee when an applicant or licensee is convicted of a felony or misdemeanor described in subsection (a)(1)(iii) of this section:

(1) the nature of the crime;

(2) the relationship of the crime to the activities authorized by the license;

(3) with respect to a felony, the relevance of the conviction to the fitness and qualification of the applicant or licensee to practice land surveying or property line surveying;

(4) the length of time since the conviction; and

(5) the behavior and activities of the applicant or licensee before and after the conviction.

§15-318.

(a) Subject to the provisions of this section, the Board shall commence proceedings under § 15-317 of this subtitle on a complaint made to the Board by a member or any other person.

(b) (1) A complaint shall:

(i) be in writing;

(ii) state specifically the facts on which the complaint is based; and

(iii) be submitted to the secretary of the Board.

(2) If the complaint is made by any person other than a member of the Board, the complaint shall be made under oath by the person who submits the complaint.

(c) If the Board finds that a complaint alleges facts that are adequate grounds for action under § 15-317 of this subtitle, the Board shall act on the complaint as provided under § 15-319 of this subtitle. If the Board does not make that finding, it shall dismiss the complaint.

§15-319.

(a) (1) Except as otherwise provided in § 10-226 of the State Government Article, before the Board takes any final action under § 15-317 of this subtitle, it shall give the individual against whom the action is contemplated an opportunity for a hearing before the Board.

(2) A hearing shall be set down within a reasonable time, not exceeding 6 months, after the Board has brought charges against the licensee.

(b) The Board shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) The Board may administer oaths in connection with any proceeding under this section.

(d) At least 30 days before the hearing, the hearing notice and a copy of the complaint shall be:

- (1) served personally on the individual; or
- (2) mailed to the last known address of the individual.

(e) The individual may be represented at the hearing by counsel.

(f) If, after due notice, the individual against whom the action is contemplated fails or refuses to appear, nevertheless the Board may hear and determine the matter.

§15-320.

(a) Subject to any regulation that the Board adopts, it may reinstate a license that has been revoked.

(b) A license may be reinstated under this section only on:

- (1) the affirmative vote of a majority of the members of the Board then serving; and
- (2) payment to the Board of a reinstatement fee set by the Board.

§15-401.

(a) (1) Subject to the provisions of this section, a professional land surveyor may practice land surveying for others through:

- (i) a corporation as an officer, employee, or agent of the corporation;
- (ii) a partnership as a partner, employee, or agent of the partnership; or

(iii) a limited liability company as a member, employee, or agent of the limited liability company.

(2) Subject to the provisions of this section, a licensed property line surveyor may practice property line surveying through:

(i) a corporation as an officer, employee, or agent of the corporation;

(ii) a partnership as a partner, employee, or agent of the partnership; or

(iii) a limited liability company as a member, employee, or agent of the limited liability company.

(3) Subject to the provisions of this subtitle, a corporation, partnership, or limited liability company may provide land surveying services through a professional land surveyor or property line surveying services through a licensed property line surveyor.

(b) (1) A professional land surveyor who practices land surveying through a corporation, partnership, or limited liability company under this section shall be subject to all of the provisions of this title that relate to practicing land surveying.

(2) A licensed property line surveyor who practices property line surveying through a corporation, partnership, or limited liability company under this section shall be subject to all of the provisions of this title that relate to practicing property line surveying.

(c) (1) A corporation, partnership, or limited liability company that provides land surveying services or property line surveying services under this section is not, by its compliance with this section, relieved of any responsibility that the corporation, partnership, or limited liability company may have for an act or omission of its officer, partner, member, employee, or agent.

(2) An individual who practices land surveying or property line surveying through a corporation, partnership, or limited liability company, is not, by reason of the individual's employment or other relationship with the corporation, partnership, or limited liability company, relieved of any individual responsibility that the individual may have regarding that practice.

§15-402.

(a) Except as provided in subsection (b) of this section, a corporation, partnership, or limited liability company shall hold a permit issued by the Board before the corporation, partnership, or limited liability company may operate a business through which land surveying or property line surveying is practiced.

(b) A corporation, partnership, or limited liability company may provide land surveying or property line surveying services for itself or for an affiliated corporation, partnership, or limited liability company without a permit issued by the Board.

§15-402.1.

(a) To qualify for a permit, a corporation, partnership, or limited liability company shall meet the requirements of this section.

(b) (1) A corporation, partnership, or limited liability company shall appoint at least one person in responsible charge of the professional land surveying or property line surveying services performed or offered to be performed through the corporation, partnership, or limited liability company.

(2) A person in responsible charge shall be:

(i) in direct control of professional land surveying or property line surveying services performed or offered to be performed through the corporation, partnership, or limited liability company;

(ii) in a position to act on behalf of, and be responsible for, the corporation, partnership, or limited liability company in matters related to the practice of professional land surveying or property line surveying; and

(iii) a professional land surveyor or licensed property line surveyor in good standing.

(3) A licensee may not be designated as a person in responsible charge for more than one corporation, partnership, or limited liability company that provides or offers to provide professional land or property line surveying services without the prior approval of the Board.

§15-403.

(a) An applicant for a permit shall:

(1) submit to the Board an application on the form that the Board provides; and

(2) pay to the Board a nonrefundable application fee set by the Board.

(b) In addition to any other information required on an application form, the form shall require the following:

(1) the name and address of at least one person in responsible charge of land surveying or property line surveying services performed or offered to be performed through the corporation, partnership, or limited liability company; and

(2) evidence acceptable to the Board that a person in responsible charge is an employee, an owner, a director, an officer, a member, or a partner, as applicable, of the entity seeking a permit.

§15-404.

The Board shall issue a permit to each applicant who meets the requirements of this subtitle and pays to the Board a permit fee set by the Board.

§15-405.

(a) Subject to subsection (b) of this section and while a permit is in effect, it:

(1) authorizes the holder to:

(i) operate a business through which land surveying is practiced; and

(ii) represent to the public that the holder provides the services of a professional land surveyor; or

(2) authorizes the holder to:

- (i) operate a business through which property line surveying is practiced; and
- (ii) represent to the public that the holder provides the services of a licensed property line surveyor.

(b) A permit authorizes the holder to provide a service that constitutes practicing land surveying or property line surveying only if the service is performed by an individual who is licensed or otherwise authorized under this title to practice.

§15–406.

(a) Unless a permit is renewed for a 2–year term as provided in this section, the permit expires on the first June 30 that comes:

- (1) after the effective date of the permit; and
- (2) in an odd–numbered year.

(b) (1) At least 1 month before a permit expires, the Board shall mail or electronically transmit to the permit holder:

- (i) a renewal application form; and
- (ii) a notice that states:
 - 1. the date on which the current permit expires; and
 - 2. the amount of the permit fee.

(2) If an electronic transmission under paragraph (1) of this subsection is returned to the Board as undeliverable, the Board shall mail to the permit holder, at the last known address of the permit holder, the materials required under paragraph (1) of this subsection within 10 business days of the date the Board received the notice that the electronic transmission was undeliverable.

(c) Before a permit expires, the permit holder periodically may renew it for an additional 2–year term, if the holder:

- (1) submits to the Board a renewal application on the form that the Board provides; and
- (2) pays to the Board a permit fee set by the Board.

(d) The renewal application form shall require the same information required on the original application form under § 15–403(b) of this subtitle.

(e) The Board shall renew the permit of each permit holder who meets the requirements of this section.

§15–407.

Within 1 month after the effective date of the change or occurrence, a permit holder shall notify the Board in

writing if there has been a change in:

- (1) the identity of the person in responsible charge of land surveying or property line surveying services performed or offered to be performed through the corporation, partnership, or limited liability company; or
- (2) the name of the corporation, partnership, or limited liability company.

§15–408.

(a) Subject to the hearing provisions of § 15–409 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a permit to any applicant, reprimand a permit holder, or suspend or revoke a permit if:

- (1) the applicant or permit holder fraudulently or deceptively obtains or attempts to obtain a permit; or
- (2) the permit holder fraudulently or deceptively uses a permit.

(b) (1) In addition to a sanction imposed under subsection (a) of this section, the Board may impose a penalty not exceeding \$5,000 for:

- (i) each violation for which a denial, reprimand, suspension, or revocation was imposed under subsection (a) of this section; and
 - (ii) each failure to meet or continue to meet the qualifications or requirements set forth in this subtitle.
- (2) To determine the amount of the penalty imposed under this subsection, the Board shall consider:
- (i) the seriousness of the violation;
 - (ii) the harm caused by the violation;
 - (iii) the good faith of the permit holder or the applicant; and
 - (iv) any history of previous violations by the permit holder or the applicant.

(c) The Board shall pay any penalty collected under subsection (b) of this section into the General Fund of the State.

§15–409.

(a) Except as otherwise provided in § 10–226 of the State Government Article, before the Board takes any final action under § 15–408 of this subtitle, it shall give the person against whom the action is contemplated an opportunity for a hearing before the Board.

(b) The Board shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) At least 30 days before the hearing, the hearing notice and a copy of the complaint shall be:

- (1) served personally on the applicant or on a person in responsible charge of land surveying or

property line surveying practiced through the entity holding the permit or a person designated as a resident agent to receive process on behalf of the entity; or

(2) mailed to the last known business address of the entity holding the permit.

(d) If, after due notice, the person against whom the action is contemplated fails or refuses to appear, the Board may hear and determine the matter.

§15-410.

(a) (1) For the limited purpose set forth in paragraph (2) of this subsection, a permit shall remain in effect and does not expire by operation of law while the permit holder is under investigation by the Board or awaiting a hearing or disposition on charges subject to disciplinary action under this subtitle.

(2) An extension of a permit term under this subsection is effective only for the purpose of retaining the jurisdiction of the Board over the permit holder during the course of disciplinary proceedings and does not prevent the permit from expiring for any other purpose.

(b) Unless the Board agrees to accept the surrender, a permit holder may not surrender a permit while the holder is under investigation or awaiting a hearing or disposition on charges subject to disciplinary action under this subtitle.

§15-411.

A corporation, partnership, or limited liability company whose permit has been suspended or revoked under § 15-408 of this subtitle may not offer or provide land surveying or property line surveying services until the suspension is lifted or the permit is reinstated.

§15-412.

(a) Subject to the provisions of this section, the Board may reinstate:

(1) a permit that has been revoked; or

(2) before fulfillment of the conditions of the suspension, a permit that has been suspended.

(b) A permit may be reinstated under this section only if:

(1) the corporation, partnership, or limited liability company whose permit has been revoked or suspended submits a written request to the Board; and

(2) the corporation, partnership, or limited liability company pays to the Board a reinstatement fee set by the Board.

(c) The Board, by an affirmative vote of a majority of its members then serving, shall vote on the request for reinstatement or lifting of the suspension within 60 days of receipt of the written request.

§15-413.

The Board may reinstate the permit of a corporation, partnership, or limited liability company that has failed

to renew the permit for any reason if the corporation, partnership, or limited liability company:

- (1) otherwise is entitled to a permit; and
- (2) pays to the Board a reinstatement fee set by the Board.

§15–414.

After the Board reinstates a permit, the permit holder shall continue to comply with all applicable requirements set forth in this subtitle.

§15–501.

(a) Each professional land surveyor and each licensed property line surveyor may obtain a seal for use as required under § 15-502 of this subtitle.

(b) The seal shall:

- (1) be of a design determined by the Board; and
- (2) include:
 - (i) the legend:
 1. “professional land surveyor”; or
 2. “licensed property line surveyor”; and
 - (ii) the name of the licensee who holds the seal.

§15–502.

(a) Before a professional land surveyor or licensed property line surveyor issues to a client or submits to a public authority any plan, plat, report, or specification, the professional land surveyor or licensed property line surveyor who prepared the document shall endorse on the document the licensee’s:

- (1) name; and
- (2) seal or a facsimile of the seal.

(b) A public authority may not accept any surveying plan, plat, report, or specification unless the document is endorsed as required under subsection (a) of this section.

§15–601.

Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice land surveying or property line surveying in the State unless licensed by the Board.

§15–602.

Except for a licensee who operates the business as a sole practitioner, a person may not operate a business

through which land surveying or property line surveying is practiced, unless:

- (1) the business is a corporation, a partnership, or a limited liability company; and
- (2) the corporation, partnership, or limited liability company holds a permit issued by the Board.

§15–603.

(a) Unless authorized under this title to practice land surveying without the supervision required under § 15-303 of this title, a person may not represent to the public, by use of a title, including “land surveyor”, “professional land surveyor”, “licensed land surveyor”, or “registered land surveyor”, by use of the term “land surveying” in the name of the person’s business activity, by description of services, methods, or procedures, or otherwise, that the person is authorized to practice land surveying in the State.

(b) Unless authorized under this title to practice property line surveying without the supervision required under § 15-303 of this title, a person may not represent to the public, by use of a title, including “licensed property line surveyor” or “property line surveyor”, by description of services, methods, or procedures, or otherwise, that the person is authorized to practice property line surveying in the State.

§15–604.

(a) Subject to subsection (b) of this section and unless a person holds a permit issued by the Board, the person may not represent to the public, by use of the title “land surveyors”, “professional land surveyors”, “licensed land surveyors”, “registered land surveyors”, “property line surveyors”, “licensed property line surveyors”, or “registered property line surveyors”, by use of the term “land surveying” or “property line surveying”, by description of services, methods, or procedures, or otherwise, that the person holds a permit or otherwise is authorized to operate a business through which land surveying or property line surveying is practiced in the State.

(b) Subsection (a) of this section does not apply to a professional land surveyor or licensed property line surveyor who operates a business as a sole practitioner.

§15–605.

A person may not:

- (1) use or attempt to use the license of another individual; or
- (2) impersonate another individual who holds a license.

§15–606.

Other than a professional land surveyor or licensed property line surveyor who obtains a seal as authorized under this title, a person may not use or attempt to use a seal.

§15–607.

A person may not give false information to the Board in an attempt to obtain a license.

§15–608.

An individual whose license has been suspended or revoked under § 15-317 of this title may not practice

land surveying or property line surveying in any manner as:

(1) an associate, agent, employee, or other subordinate of a professional land surveyor or licensed property line surveyor; or

(2) a principal, associate, agent, employee, or other subordinate of a corporation, partnership, or limited liability company that provides land surveying or property line surveying services.

15-609.

(a) An individual who is authorized to practice land surveying may not practice or offer to practice land surveying in those areas of land surveying in which the individual is not competent to practice.

(b) An individual who is authorized to practice property line surveying may not practice or offer to practice property line surveying in those areas of property line surveying in which the individual is not competent to practice.

§15-610.

(a) A person who violates any provision of this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 6 months or both.

(b) (1) The Board may impose on a person who violates any provision of this title a penalty not exceeding \$5,000 for each violation.

(2) In setting the amount of the penalty, the Board shall consider:

(i) the seriousness of the violation;

(ii) the harm caused by the violation;

(iii) the good faith of the violator;

(iv) any history of previous violations by the violator; and

(v) any other relevant factors.

(3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.

§15-701.

This title may be cited as the "Maryland Professional Land Surveyors Act".

§15-702.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no effect after July 1, 2024.