

**PROPOSED REGULATION OF THE
STATE BOARD OF PROFESSIONAL ENGINEERS AND
LAND SURVEYORS**

LCB File No. R126-23

December 15, 2023

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1-4, NRS 625.140 and 625.250.

A REGULATION relating to professions; repealing certain provisions relating to certain standards of practice of professional land surveyors; repealing certain provisions relating to certain contributions to geographical information systems made by a professional land surveyor; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Board of Professional Engineers and Land Surveyors to adopt all regulations, not inconsistent with the constitution and laws of this State, which are necessary for the proper performance of the Board, the regulation of the proceedings before it and the maintenance of a high standard of integrity and dignity in professional engineering and land surveying. (NRS 625.140) Existing law also requires the Board to administer certain provisions and requirements concerning professional land surveyors and requires it to do so by regulation as necessary. (NRS 625.250)

Existing law defines: (1) the “practice of land surveying” as certain practices and skills comprising the work of land surveying; and (2) the “responsible charge of work” as the independent control and direction of professional engineering or land-surveying work, or the supervision of such work, by the use of initiative, skill and independent judgment. (NRS 625.040, 625.080) Existing regulations provide that a professional land surveyor is responsible for adherence to the minimum standards of practice of land surveying on works where the professional land surveyor is the person in responsible charge of the work and that any failure to comply with minimum standards of practice may be considered by the Board as evidence of certain violations of the practice of land surveying. (NAC 625.660) **Section 4** of this regulation repeals this provision.

Existing regulations set forth certain standards of practice for professional land surveyors relating to: (1) compliance with requirements relating to the positional certainty of monuments; and (2) the analysis of the location of corner positions and boundaries lines and the setting of monuments pursuant to existing law. (NAC 625.668, 625.690) **Section 4** repeals these provisions.

Existing regulations set forth certain provisions when a professional land surveyor: (1) contributes information to a geographic information system; (2) advises the developers of a geographic information system; and (3) conducts surveys to collect information that will be included in a geographic information system. (NAC 625.795) **Section 4** repeals these provisions. **Sections 1-3** of this regulation make conforming changes to remove references to a provision that is repealed by **section 4**.

Section 1. NAC 625.651 is hereby amended to read as follows:

625.651 As used in NAC 625.651 to ~~625.795,†~~ **625.790**, inclusive, “positional certainty” means a measurement of the relative accuracy of positions with respect to the location of a controlling monument.

Sec. 2. NAC 625.655 is hereby amended to read as follows:

625.655 When engaging in the practice of land surveying in this State, a professional land surveyor shall apply all applicable statutes and regulations in addition to the minimum standards of practice for professional land surveyors established in NAC 625.651 to ~~625.795,†~~ **625.790**, inclusive.

Sec. 3. NAC 625.664 is hereby amended to read as follows:

625.664 For the purposes of NAC 625.651 to ~~625.795,†~~ **625.790**, inclusive, the positional certainty of a point or monument or of the horizontal or vertical component of a survey must be based upon a confidence level of not less than 95 percent.

Sec. 4. NAC 625.660, 625.668, 625.690 and 625.795 are hereby repealed.

TEXT OF REPEALED SECTIONS

625.660 Responsibility for compliance with standards of practice.

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

625.668 Positional certainty: Horizontal and vertical positions of monuments.

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

625.690 Location of corners, boundaries and monuments.

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

625.795 Duties regarding geographic information systems.

1. When contributing information to a geographic information system, a professional land surveyor must include for use as metadata a statement describing the positional certainty of each type of information contributed to the system by the professional land surveyor.

2. When advising the developers of a geographic information system, a professional land surveyor must make recommendations concerning the appropriate methods for:

(a) Conducting a survey for the development of the system; and

(b) Compiling data for the contribution of additional information to the system after it is developed.

3. A professional land surveyor shall comply with the provisions of NAC 625.651 to 625.795, inclusive, when conducting surveys to collect information that will be included in a geographic information system.

4. As used in this section:

(a) “Geographic information system” means a collection of computer hardware, software and data that is used for the collection, management, manipulation, analysis and display of information that includes a positional component.

(b) “Metadata” means data that describes information used to describe an object.