

THE PATH TO COMPLIANCE

Unlicensed Practice and Certified Corner Record Update

As you might expect in a struggling economy where engineering and surveying projects are scarce, the number of out-of-state engineers and surveyors pursuing those projects has increased dramatically this year. Typically a fairly high percentage of out-of-state applications this office receives indicate that the applicant and/or firm has already either offered or begun practicing before the license has been issued. This Board has taken a very clear and consistent position that this practice is a serious violation of our law and is vigorously prosecuted. Our licensees and firms who are diligent about following the laws and rules demand this office maintain a level playing field that is fair to all.

Therefore, we have been pleasantly surprised this year because of the very high percentage of these new applications that disclose the applicant has not already offered to or actually started practicing. This is a significant change especially considering the volume of new applications we have received. This office optimistically views this change as a positive sign that efforts on our website and in our publications and presentations are effectively educating licensees and future licensees about our laws and rules. We know however, that the most effective method to combat unlicensed practice is our licensees becoming involved and insisting that governmental and private entities use individuals and firms that are properly licensed in Oklahoma and practicing within our law. This Board recognizes that there are still non-licensed practice violations and is therefore still investigating and, where warranted, prosecuting any individual or any firm who is not properly licensed in Oklahoma.

The Instruction Manual for Oklahoma Certified Corner Records published by this office and posted on our website is being updated to reflect changes by the State Department of Libraries and the Bureau of Land Management. As most Oklahoma surveyors already know, the State Department of Libraries has passed rules that will require a \$5.00 filing fee for Certified Corner Records effective July 1, 2010. Therefore, it will be more important than ever for surveyors to submit complete and accurate CCR forms in their initial submittal to the Library. Surveyors need to be aware that in 2009 the BLM updated and published its Manual of Surveying Instructions. Among the many revisions is a new definition of obliterated corners and a lengthy section on the identification and evidence of obliterated corners. Our research indicates a number of surveyors who are still not including adequate information on CCR forms about supporting evidence for monuments found and set. Simply stating that a monument was found in the vicinity of a public land survey corner is not adequate. There are too many situations where a non-licensed individual sets a nail or other temporary object for control for an engineering, topo or GIS project and then leaves it there after the project is done. Even surveyors have been known to set temporary points and then failed to pick them up. The description of what evidence was used to support a monument location is vitally important in order to verify the correctness of the location and must be included.

The statute and rules regulating the practice of engineering and surveying continue to be updated to reflect the changes in the professions. This Board publishes the current rules on its website and will continue to rely on its licensees to know the rules and help educate others.



Bruce Pitts, PLS
Director of Enforcement