



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Sean McCullough**, Director

### Business Impact Analysis

**Agency, Board, or Commission Name:** Ohio State Board of Registration for Professional Engineers and Surveyors

**Rule Contact Name and Contact Information:**

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**Regulation/Package Title (a general description of the rules' substantive content):**

Five-year rule review

**Rule Number(s):** 4733-5-02, 4733-9-01, 9-02, 9-04, 4733-13-01, 4733-25-01, 4733-29-01, 4733-33-01, 4733-35-09, 4733-37-01, 37-03, 37-04, 37-05, 4733-39-03, 39-04, 39-05

**Date of Submission for CSI Review:** October 13, 2021

**Public Comment Period End Date:** November 13, 2021

**Rule Type/Number of Rules:**

New/      rules

No Change/      rules (FYR?     )

Amended/ 14 rules (FYR? Yes)

Rescinded/      rules (FYR?     )

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing

regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

#### Reason for Submission

1. **R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.**

**Which adverse impact(s) to businesses has the agency determined the rule(s) create?**

**The rule(s):**

- a. ☒ **Requires a license, permit, or any other prior authorization to engage in or operate a line of business.**
- b. ☐ **Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.**
- c. ☐ **Requires specific expenditures or the report of information as a condition of compliance.**
- d. ☐ **Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.**

#### Regulatory Intent

2. **Please briefly describe the draft regulation in plain language.**

##### **4733-5-02 Notice of meeting**

- Updates the Board's current address

##### **4733-9-01 Experience and examinations**

- Removes the redundant wording, *with at least two of the years in responsible charge of this work under the direct supervision of a professional surveyor*. All surveying experience performed by an unlicensed individual applying for professional must be performed under the direction of a professional surveyor in accordance with RC 4733.

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#### **4733-9-04 Examinations and minimum grades and intern certificates**

- Deletes the reference to six-hour national principles and practice of surveying exam since the exam has converted to computer-based testing.
- Adds name of Ohio's state-specific surveying examination for consistency.

#### **4733-13-01 Comity and temporary registration**

- Adds the term *her* to make rule gender neutral.
- Adds name of Ohio's state-specific surveying examination for consistency.

#### **4733-25-01 Reinstatement of an expired certificate of registration**

- Adds the term *her* to make rule gender neutral.

#### **4733-29-01 Principles and practice exam**

- Removes 120-day exam application deadline since the national exams have converted to computer-based testing and there are no longer scheduled exam dates each April and October.

#### **4733-33-01 Examinations for surveyors**

- Adds name of Ohio's state-specific surveying examination for consistency.

#### **4733-37-01 Preamble**

- Removed the words, *intended to be*, as unnecessary.

#### **4733-37-03 Monumentation**

- Updated minimum standards based on feedback from the Professional Land Surveyors of Ohio to reflect current practice and standards for the performance of boundary surveys.

#### **4733-37-04 Measurement specifications**

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- Updated minimum standards based on feedback from the Professional Land Surveyors of Ohio to reflect current practice and standards for the performance of boundary surveys.

#### **4733-37-05 Plat of survey**

- Updated minimum standards based on feedback from the Professional Land Surveyors of Ohio to reflect current practice and standards for the performance of boundary surveys.

#### **4733-39-03 Applications and filing requirements**

- Updated language to reflect current renewal period that has moved from annual to biennial renewal.

#### **4733-39-04 Annual renewal filing**

- Updated language to reflect current renewal period that has moved from annual to biennial renewal.

#### **4733-39-05 Certificate of authorization**

- Permits the board to issue temporary permits for firms that meet the registration requirements but are waiting for formal board approval to occur at the next meeting.

### **3. Please list the Ohio statute(s) that authorize the agency, board or commission to adopt the rule(s) and the statute(s) that amplify that authority.**

ORC 4733.07 authorizes the board to write administrative rules to implement its statutory authority under ORC 4733.

### **4. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?**

No federal requirements are imposed through these rule changes.

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**5. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

Not applicable.

**6. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

These proposed changes to OAC 4733 are related to the following areas:

- To reflect recent changes to the national registration exams for professional engineers and surveyors that are required by all U.S. states and territories.
- To update language to reflect housekeeping items such as an update to the board's address, changes to make rules gender neutral, reflect changes to the renewal period from annual to biennial.
- Updated minimum standards based on feedback from the Professional Land Surveyors of Ohio to reflect current practice and standards for boundary surveys to protect individual's and businesses' property interests and avoid litigation involving property boundary disputes.

None of the rules in this package could be significantly changed or eliminated without resulting in a loss of public protection. In the review and modification of these rules the board was mindful of balancing the need for public protection and the need for employing a registration process that is fair and equitable that ensures that the board licenses individuals and firms that are qualified to perform engineering and surveying in Ohio in a manner that protects the public without adding unnecessary or burdensome requirements. The board relies heavily on input from the profession, the public and Ohio's universities and colleges that offer engineering and surveying programs. The board works closely with all the other U.S. states and territories to develop national model laws and rules through its association with the National Council of Examiners for Engineering and Surveying [NCEES]. The board's laws and rules closely mirror these national model laws and rules to promote consistency and mobility of licensure across the U.S.

**7. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?**

No specific measurements of outputs or outcomes are proposed.

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**8. Are any of the proposed rules contained in this rule package being submitted pursuant to R.C. 101.352, 101.353, 106.032, 121.93, or 121.931?**

Not applicable.

**Development of the Regulation**

**9. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.**

Approximately 30,000 individual professional engineers and surveyors and 3,200 licensed engineering and surveying firms were invited to submit comments. The Board also conducted over 70 presentations to the public, the profession, and Ohio's universities and colleges requesting input for the rule review in 2019 and 2020 before the pandemic hit. The Board also reached out and provided presentations to Ohio's technical and profession associations and societies representing engineers and surveyors in Ohio. The Board is also currently continuing to request feedback during presentations and advising licensees of the rule-making process.

**10. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?**

Licensees and stakeholders were initially notified of the board's 5-year rule review beginning in January 2019. The Board received comments addressing the need to update minimum standards for boundary surveys to more closely align with the accepted standards of practice commonly used by the profession. The board reviewed the proposed changes and incorporated them into the proposed rules.

**11. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?**

No scientific data was employed in developing the proposed rule changes.

**12. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?**

No specific alternatives to the proposed rules were considered.

**Did the Agency specifically consider a performance-based regulation? Please explain.**  
*Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.*

No specific performance-based regulations were considered. In order to ensure public protection, all licensees must be subject to the same specific regulations and requirements for licensure. The board's laws and rules are closely based on national model laws and rules

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developed through the collaboration of all U.S. states and territories engineering and surveying licensing boards.

**13. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?**

The Ohio State Board of Registration for Professional Engineers and Surveyors is the sole regulatory authority for the practice of engineering and surveying. The rules proposed pertain only to the two professions regulated by the Board.

**14. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.**

Once approved and effective, licensees will be notified via e-mail, newsletter and through the board's website. The PDF containing Ohio Revised Code Chapter 4733 maintained on the Board's website and accessible to licensees and the public will be updated to reflect the updates. Board staff will also advise licensees of the changes during many presentations conducted throughout Ohio annually. Board staff will also be available to answer any questions licensees and stakeholders may have about the rule changes once in effect. While the proposed changes are minimal, the Board has provided enough notice of the pending change to licensees for them to prepare any changes. Most of the rule changes do not require specific action on the part of licensees once the rules are in effect.

**Adverse Impact to Business**

**15. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:**

**a. Identify the scope of the impacted business community; and**

The impacted community includes members of the public, licensees, students, educators, education programs, and firms licensed to offer and provide engineering and surveying services in Ohio.

**b. Identify the nature of all adverse impact (e.g., fees, fines, employer time for compliance); and**

An adverse impact exists because the rules impose requirements for licensed persons and firms. Licensed persons and firms must be familiar with the rules and comply with them. Failure to comply with the rules could result in disciplinary action, including license suspension or revocation. The rule changes proposed should have no adverse financial impact or increased expenses to licensees regulated by the board. These rules should have no adverse impact on licensees' ability to operate their businesses effectively.

**c. Quantify the expected adverse impact from the regulation.**

*The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a*

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***“representative business.” Please include the source for your information/estimated impact.***

The possible adverse impact cannot be quantified as the changes do not impose any expenditures or institute any fees or penalties.

**16. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?**

The adverse impact is justified because the work performed by professional engineers and surveyors is one of the few professions where the licensees’ work impacts the life and well-being of the public. It is vital that individuals and firms licensed by the board are qualified by education, examination, and training to perform engineering and surveying work in a safe manner. These rules ensure that only qualified individuals and firms are licensed to engage in engineering and surveying. These rules do not create significant barriers to licensure for individuals or businesses.

**Regulatory Flexibility**

**17. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.**

Because the Board has not identified any specific adverse impact on Ohio’s engineering and surveying firms as the result of these rule updates, no alternative means of compliance are proposed.

**18. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?**

The proposed rules do not currently result in any fees or penalties that require a waiver.

**19. What resources are available to assist small businesses with compliance of the regulation?**

The Board issues regular guidance regarding complying with the laws and rules regarding the practice of engineering and surveying through the board’s website, newsletters, social media and through presentations conducted throughout Ohio. The board also works closely with the professional associations that represent licensed individuals and businesses, as well as businesses and government agencies that perform engineering and surveying, to assist them in meeting compliance and understanding the requirements for registration.



4733-5-02

**Notice of meeting.**

(A) A notice and proposed agenda of each meeting of the board shall be sent to each member of the board, by the executive director, and shall be deemed full and proper notice thereof. A copy of the minutes of the previous meeting shall accompany the agenda for review prior to approval at the next meeting.

(B) Any person may ascertain the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings by:

(1) Writing to the ~~following address: "The State Board of Registration for Professional Engineers and Surveyors, 50 West Broad Street, 18th Floor, Columbus, Ohio 43215~~ at the Board's office address."

(2) Calling the following telephone number during normal business hours: (614) 466-3651.

(3) Any person may receive notice of all meetings of the board. The executive director shall maintain a list of all persons who have requested such notification.

(C) Any representative of the news media may obtain notice of all special meetings by requesting in writing that such notice be provided. Such notice will only be given, however, to one representative of any particular publication or radio or television station."

The request shall provide the name of the individual media representative to be contacted, the mailing address and a maximum of two telephone numbers where the representative can be reached. The executive director shall maintain a list of all representatives of the news media who have requested notice of special meetings pursuant to this rule.

(D) In the event of a special meeting not of an emergency nature, the executive director shall notify all media representatives on the list of such meeting by doing at least one of the following:

(1) Sending written notice, which must be sent no later than four calendar days prior to the day of the special meeting;

(2) Notifying such representatives personally or by telephone no later than twenty-four hours prior to the special meeting; such telephone notice shall be complete if a message has been left for the representative.

- (E) In the event of a special meeting of an emergency nature, the executive director shall notify all media representatives on the list of such meeting by notifying the clerk of the state house press room. In such event, however, the notice need not be given twenty-four hours prior to the meeting but shall be given as soon as possible.
- (F) In giving the notices required by paragraph (C) of this rule the executive director may rely on assistance provided by any member or employee of the board and any such notice is complete if given by such member or employee in the manner provided in paragraph (C) of this rule.

4733-9-01

### Experience and examinations.

- (A) The phrase "Graduation from a college curriculum in engineering of four years or more that is not accredited" used in division (A)(2)(a) of section 4733.11 of the Revised Code is interpreted by the board to mean "a baccalaureate degree in engineering not accredited by ABET such as those programs recently developed or programs offered by foreign schools evaluated by the board as being substantially equivalent to those which have been accredited."
- (B) The board shall consider applications from persons possessing one of the following qualifications:
- (1) Professional engineer - A graduate of an approved engineering curriculum of four academic years or more from a school or college approved by the board, and who has had four or more years of experience of a type satisfactory to the board.
  - (2) Professional engineer - A graduate of an engineering curriculum of four academic years or more from a college curriculum in engineering that is not accredited by ABET, but is evaluated by the board as meeting the national council of examiners for engineering and surveying education standard and found to be of a high quality essentially equal to the curricula which are accredited, or in engineering technology and who has eight years or more of progressive experience in engineering work indicating that the applicant is competent to be placed in responsible charge of such work.
  - (3) As a professional surveyor after December 31, 1992, either by:
    - (a) Graduation from an approved curriculum in surveying of four years or more in a recognized school or college, and a specific record of an additional four years or more of surveying office and field experience of a character acceptable to the board, ~~with at least two of these years in responsible charge of this work under the direct supervision of a professional surveyor.~~ and passing the prescribed examination;
    - (b) Graduation from an approved curriculum in civil engineering of four years or more in a recognized school or college, successful completion of at least sixteen semester hours, or equivalent quarter or trimester hours, of approved surveying courses in surveying directly and mapping arts and sciences, except that courses successfully completed as prior studies may be credited by the board toward this requirement, of which at least six semester hours, or equivalent quarter or trimester hours, are in property surveying, and a specific record of an additional four years or more of surveying office and field experience of a

character acceptable to the board, ~~with at least two of these years in responsible charge of this work under the direct supervision of a professional surveyor,~~ and passing the prescribed examination.

- (C) ~~Cut-off date for new or renewed applications for each examination is one hundred twenty days before the examination date. All experience or education and experience requirements must be met one hundred twenty days before the examination date~~ The Board shall establish and publicize an exam schedule.

4733-9-04

**Examinations and minimum grades and intern certificates.**

- (A) The board shall administer or direct the administration of examinations prepared and furnished by the national council of examiners for engineering and surveying or other provider approved by the board.
- (B) Examinations for surveyors and engineers will be held on dates set by the national council of examiners for engineering and surveying and approved by the board.
- (C) The language of the examination will be in English.
- (D) Locations at which the examinations are given are designated by the board.
- (E) In determining an applicant's qualifications for registration by examination, the following minimum grades will be required:
  - (1) For the fundamentals of engineering examination or fundamentals of surveying examination, a passing grade as set by the national council of examiners of engineering and surveying and approved by the board is required.
  - (2) For the principles and practice of engineering examination, a passing grade as set by the national council of examiners for engineering and surveying and approved by the board is required.
  - (3) For the principles and practice of surveying, the applicant must pass both the national council of examiners for engineering and surveying principles and practice examination and the two hour professional practice examination devoted to the laws and practices of this state. A passing grade as set by the national council of examiners for engineering and surveying and approved by the board is required for the ~~six-hour~~ national principles and practice of surveying examination and a passing grade as set and approved by the board is required for the Ohio state-specific ~~two-hour~~ professional practice examination devoted to the laws and practice of this state.
- (F) Upon successful completion of the fundamentals examination, and after the candidate has provided evidence that the candidate has graduated from an approved engineering or surveying program of four years or more, a certificate as an engineer intern or surveyor intern will be issued by the board. Such certificate as an engineer intern or surveyor intern does not allow the holder of such a certificate to perform, offer to perform or contract for engineering or surveying services or to use the initials P.E. or P.S. with their name.
- (G) A person who has passed the national council of examiners for engineering and

surveying fundamentals of engineering examination or fundamentals of surveying examination from another state, territory of the United States, or District of Columbia, and who meets the requirements for registration pursuant to the Ohio Revised Code, will not need to again pass said examinations in Ohio.

4733-13-01

**Comity and temporary registration.**

- (A) Every state requires registration for engineers and surveyors who engage in professional practice within its borders. A person who desires to accept employment in another state should know how to continue practicing there in a legal manner.
- (B) The national council of examiners for engineering and surveying has endeavored for many years to develop a plan for registration by comity, but every state must measure the qualifications of each individual to whom it grants a professional license. The board will grant registration to a licensee of another state when the applicant has met the standards equal to those specified in the law of this state at the time his or her certificate of registration was received. However, the person applying for registration as a professional surveyor by comity in Ohio, shall be required to pass the ~~final two-hour~~ Ohio state-specific professional surveying examination, devoted to the laws and practices peculiar to the state of Ohio.
- (C) The board cannot guarantee that an Ohio registrant will be granted a license elsewhere merely because of registration in this state.
- (D) An Ohio registrant desiring registration in another state should contact the board of the state in which the registrant is interested for an application and instructions. The board will be contacted by the other state board relative to the applicant's record, and will furnish the information promptly.
- (E) Division (A) of section 4733.18 of the Revised Code permits a registered engineer or surveyor of another state to practice temporarily in Ohio until permanent registration is granted. It is conditioned on the provisions that such person is legally qualified by registration to practice the said profession in the applicant's own state or U.S. territory and that the qualifications under which said applicant obtained registration in said state meet the requirements of section 4733.11 and section 4733.19 of the Revised Code, which are prerequisite for becoming registered in Ohio by all applicants.
- (F) In order to enable the board to ascertain if a person requesting temporary registration is qualified, it shall be necessary to file with the board an application for a temporary permit along with an affidavit showing the state or states or U.S. territory in which the applicant is registered and the qualifications by which the applicant obtained such registration.
- (G) If the request for a temporary registration is made under the provisions of section 4733.18 of the Revised Code, an application for permanent Ohio registration shall accompany such request.

- (H) If, after examination of said request for a temporary permit and verification of the pertinent information, it is found that the applicant meets the requirements as set forth in this rule, the executive director of the board is authorized to issue and sign the requested permit. The applicant may then legally practice in this state under the terms and conditions set forth in said permit.



4733-25-01

**Reinstatement of an expired certificate of registration.**

Any registrant whose certificate of registration has expired for non-payment of renewal fees pursuant to division (A) of section 4733.15 of the Revised Code may apply in writing for reinstatement. The application so filed must be supported with a detailed notarized experience statement covering all experience subsequent to the date of expiration. This statement shall describe the nature of work performed, degree of responsibility, and dates of each engagement. This statement must also show how the applicant maintained competency in his or her field during the period since expiration. The application so filed must also include proof of completion of fifteen hours of continuing professional development for each lapsed year. Upon receipt of the application the board will review it and determine the steps required for reinstatement. If more than four consecutive years have elapsed since the date of expiration, the applicant shall be required to take and pass the principles and practice of engineering examination and/or principles and practice of surveying examination as a condition of reinstatement unless the applicant has maintained continuous, uninterrupted registration in any other state or United States territory. The amount of the reinstatement fee shall be as prescribed in paragraph (L) of rule 4733-19-01 of the Administrative Code. Payment of reinstatement fees does not validate any illegal practice performed during the period between expiration and reinstatement. Reinstatement shall require a majority affirmative vote of the board at a board meeting where the reinstatement application is considered.

4733-29-01

**Principles and practice examinations.**

- (A) When an applicant has completed a record showing the required number of calendar years of education and experience, the applicant is eligible to request admission to the principles and practice examination for completion of registration as a professional. The board must be sent a completed application. This application shall describe the nature of work performed, degree of responsibility, and dates of each engagement. Each segment of experience must be verified by including the supervisor's signature and contact information. If an applicant claims credit for experience in the armed forces of the United States or civilian war services, the applicant must outline the nature and extent of the assignments. Experience may be acquired in Ohio or elsewhere. Credit for experience is not limited to the branch specified in the original application.
- (B) Applicants for registration as a professional engineer or professional surveyor shall if ~~the experience is approved by the board, it will be necessary for the applicant to~~ demonstrate his or her practical knowledge by passing the principles and practice examination as outlined in section 4733.13 of the Revised Code. Applicants are not eligible for registration as a professional engineer or professional surveyor ~~this examination until their practical experience has been completed and approved by the board one hundred twenty days prior to the examination date.~~



4733-37-01

**Preamble.**

These rules are ~~intended to be~~ the basis for all surveys relating to the establishment or retracement of property boundaries in the state of Ohio. When the case arises where one or more provisions herein must be abridged due to local condition, the abridgement shall be clearly indicated on plats and/or legal descriptions and reports. Where local or other prescribed regulations exist which are more restrictive than these rules, the survey shall conform to all local and state regulatory standards. When a client desires only a portion of his property surveyed, and this portion can be clearly isolated from the remainder of the property without affecting the interests of adjoining owners, these rules shall apply to the survey of only the desired portion.



4733-37-04

**Measurement specifications.**

All measurements shall be made in accord with the following specifications:

- (A) The surveyor shall keep all equipment used in the performance of surveying in proper repair and adjustment.
- (B) Every determination of distance and direction shall be made either directly or indirectly in such a manner that the ~~linear~~ error in the distance or direction between any two points ~~(not necessarily adjacent points)~~ shall not exceed the reported distance divided by ten thousand (allowable ~~linear~~ error = reported distance divided by ten thousand, or stated as a ratio, 1:10,000) and ~~every angular measurement shall be made in such a manner that the allowable (directional) error, in radians, shall not exceed the allowable linear error divided by the reported distance (allowable (directional) error = allowable linear error divided by reported distance).~~ Directional error thus shall not exceed 1/10,000 of a radian or 21 seconds of arc. When the reported distance is less than two hundred feet, the linear error shall not exceed 0.02 feet. The reported distance is the distance established by the survey.
- (C) In all new descriptions and plats of survey, the lengths and directions of the lines shall be specified so that the mathematical error in closure of the property boundary does not exceed 0.02 feet in latitudes and 0.02 feet in departure.
- (D) Surveys performed using metric measurements shall utilize the metric equivalents based upon the ~~U.S. survey~~ international foot conversion factor on all surveys performed after January 1, 2022.

4733-37-05

**Plat of survey.**

- (A) The surveyor shall prepare a scale drawing of every individual survey in which the surveyor retraces previously established property lines or establishes new boundaries. ~~or drawings comprising all of the surveys when they are contiguous in which the surveyor retraces previously established property lines or establishes new boundaries.~~
- (B) A copy of this drawing shall be given to the client. When required, another copy shall be filed with the appropriate public agencies.
- (C) The surveyor shall include the following details:
- (1) A title such that the general location of the survey can be identified. The title shall include, but not be limited to: state, county, civil township or municipality, and original land subdivision description.
  - (2) A north arrow with a clear statement as to the basis of the reference direction used.
  - (3) The control station(s) or line(s) cited in the description and the relationship of the property to this control must be referenced to an established monumented point of beginning such as, but not limited to: centerline intersection of streets or highways of record, section or quarter section corners, Virginia military survey corners ~~or lines~~, or platted lot corners. The type of monuments set or found at the control stations shall be noted. All evidence used to establish the boundaries shall be shown or noted.
  - (4) A notation at each corner of the property stating that the boundary monument specified in the deed description was found or set. ~~or that a boundary monument was set.~~ or a legend of the symbols used to identify monumentation. Each monument found or set shall be described as to its size, material and character. ~~In addition, there shall be a statement describing the material and size of every monument found or set.~~
  - (5) A general notation describing the evidence of occupation that may be found along every boundary line or occupation line.
  - (6) The length and direction of each line as specified in the description of the property or as determined in the actual survey if this differs from what is stated in the deed description by more than the tolerance specified in paragraph (B) of rule 4733-37-04 of the Administrative Code. The length and direction shall be stated as follows:

- (a) Bearings expressed in degrees, minutes and seconds and distances expressed in feet and decimal parts thereof on each course. If a metric equivalent distance is stated, it shall be stated to the third decimal place.
  - (b) All curved lines shall indicate the radius, central angle, curve length, chord bearing and chord distance.
  - (c) Each course shall show other common lines such as centerline of roads, rivers, streams, section lines, quarter section lines, half section lines or other pertinent common lines of record.
- (7) A citation of pertinent documents and sources of data used as a basis for carrying out the work. The citation shall include, but not be limited to: current deeds as of the date of the survey, prior deeds or other documents of record, and available deeds of record for adjoining parcels along each boundary line of the survey. If the adjoining parcel is a recorded subdivision, only the subdivision name, recording information and lot numbers need to be shown.
- (8) The written and graphical scale of the drawing.
- (9) The date of the survey.
- (10) The surveyor's printed name and Ohio registration number, signature and seal (in a form which may clearly reproduce on any copies which may be made of the original drawing).
- (11) The area contained within the perimeter of the surveyed parcel.
- (12) All references to roads or railroads contiguous to the surveyed parcel shall use current names or names of record and applicable right of way widths, if available.
- (13) All references to rivers or streams shall use current names of record, if available.



4733-39-03

**Applications and filing requirements.**

- (A) Under provisions of section 1701.03 of the Revised Code, a corporation formed under Chapter 1701. of the Revised Code after November 14, 1982 may offer architectural, landscape architectural, professional engineering or professional surveying services or any combination thereof provided these corporations file with the appropriate board and meet the requirements of each board or filing and procuring a "Certificate of Authorization" in accordance with Chapters 4703. and 4733. of the Revised Code.
- (B) Any firm, partnership, association, limited liability company or corporation which holds a "Certificate of Authorization" under these rules and which otherwise meets the requirements of Chapter 4733. of the Revised Code may be organized for any purposes for which business enterprises may be organized under Chapters 1701., 1705., 1775., 1782., 1783. and 1785. of the Revised Code and shall not be limited to the purposes of providing professional engineering, surveying, architectural, or landscape architectural services or any combination thereof.
- (C) If all requirements of this rule are met, the board may issue a "Certificate of Authorization" to the firm, partnership, association, limited liability company or corporation. Forms for initial application will be provided by the board. This "Certificate of Authorization" must be renewed ~~annually~~ biennially.

4733-39-04

**Annual renewal filing.**

- (A) Under provisions of section 4733.16 of the Revised Code, each firm, partnership, association, limited liability company or corporation holding a "Certificate of Authorization" shall ~~annually~~biennially file no later than June thirtieth of even-number years with the board ~~on forms provided by this board~~an application including, the name and address of each owner and the name and address of all persons designated as being in responsible charge of the professional engineering and/or professional surveying activities and decisions, who must be registered in Ohio as appropriate.
- (B) If there is any change in any of the above between intervals of filing, the change will be filed with the board by notarized letter within ~~ninety~~ sixty days of the change.
- (C) If all the requirements of this rule are met, this board shall issue a renewal "Certificate of Authorization" to the firm, partnership association or corporation for the ensuing ~~state fiscal year~~ biennial renewal period upon application and payment of the appropriate fee.
- (D) ~~Annual~~Biennial renewal of the "Certificate of Authorization" will be issued by the board within thirty days after the approval of the renewal application.
- (E) The "Certificate of Authorization" for all firms, partnerships, associations, limited liability companies or corporations whose ~~annual~~biennial renewal filing is not received by the close of business on June thirtieth at the end of the biennial renewal period will expire and be invalid. The "Certificate of Authorization" for all firms, partnerships, associations, limited liability companies or corporations which have expired may be renewed within twelve months of the expiration date. The delinquent fee established by rule 4733-39-06 of the Administrative Code, which shall be fifty per cent greater than the annual renewal fee, must be paid to the board. The requirements of paragraph (A) of this rule must also be met. If a "Certificate of Authorization" is not renewed within twelve months from the expiration date, the said firm, partnership, association, limited liability company or corporation must make application for a new "Certificate of Authorization" in accordance with the requirements of rule 4733-39-03 of the Administrative Code and pay the appropriate fee.

4733-39-05

**Certificate of authorization.**

- (A) A "Certificate of Authorization" shall be issued by this board to all firms, partnerships, associations, limited liability companies or corporations which meet the requirements of Chapter 4733. of the Revised Code and pay the appropriate fee.
- (B) The state board of registration for professional engineers and surveyors may issue a temporary certificate of authorization for a firm that has filed an application with the Board and has paid the required fee. The temporary certificate of authorization shall continue only for the time the board requires for consideration of the certificate of authorization application, provided the firm is legally qualified to offer and provide engineering or surveying services in Ohio.
- (B) ~~(C)~~ If there is any change in the identity of any of the persons designated as being in responsible charge of the professional engineering or professional surveying activities and decisions of an entity holding a "Certificate of Authorization" under Chapter 4733. of the Revised Code, the board shall be notified per rule 4733-39-04 of the Administrative Code.
- (C) ~~(D)~~ A new "Certificate of Authorization" shall be required in the following situations:
- (1) Upon the change of the name of any corporation, partnership, limited liability company or professional association holding a "Certificate of Authorization" performing engineering or surveying services in this state.
- (2) Upon the failure of any holders of a "Certificate of Authorization" to renew the "Certificate of Authorization" within twelve months of the expiration date.
- (D) ~~(E)~~ A "Certificate of Authorization" shall authorize the firm, partnership, association, limited liability company or corporation to provide the professional service for which they are qualified for that state fiscal year. A renewal will be required at the end of each state fiscal year. The "Certificate of Authorization" renewal letter shall indicate the professional service or services the business enterprise is authorized to provide.
- (E) ~~(F)~~ Any firm, partnership, association, limited liability company or corporation offering the services of professional engineering and/or professional surveying shall post the current "Certificate of Authorization" issued by this board conspicuously in its place of business where the public can readily examine said certificate.