

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS

Title of Rule: Rules and Regulations for Professional Land Surveying

Rule Identifier: 435-RICR-00-00-1

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 11/04/2020

End of Public Comment: 12/04/2020

Authority for this Rulemaking:

R.I. Gen. Laws §§ 5-8.1-4 and 42-14-17.

Summary of Rulemaking Action:

This regulation sets forth the licensing requirements and procedural and technical standards for professional land surveyors (PLS) in RI. Due to restrictions on in-person gatherings during the Covid-19 pandemic, the PLS Board is amending the continuing education requirements for the biennial licensing cycle due 6/30/2021, by both reducing the number of Professional Development Hours (PDHs) required and allowing all PDHs to be obtained through remotely delivered online courses.

The PLS Board is also making two minor amendments for clarification and adding in long-standing presumptions of practice which were inadvertently left out of the regulation when the technical standards were previously consolidated into the regulation.

The specific amendments are as follows:

§ 1.7(C)(5) – Add provisions that apply to the upcoming 6/30/2021 biennial renewal to make it easier for PLS to comply with the continuing education requirement during the Covid-19 pandemic. Normally, PLS in RI are required to complete 20 PDHs for every 2-year renewal cycle and only 10 of those PDHs may be obtained through a remotely-delivered online course. As a result of the pandemic, the number of hours has been reduced by half and all of the PDH's may be obtained online for this renewal cycle ONLY.

§ 1.9.7(A)(1) – Correction to clarify what is required in the Title Block of a survey plan. The "type" of survey is reflected in the certification (see § 1.9.7(C)). The "title" of the survey is what must be included here in the title block.

§ 1.9.7(C) – When this regulation was amended effective 11/25/2015, a blank space was left for the insertion of that effective date. That effective date has been inserted into the certification template.

§ 1.9.11 – Add the Presumptions of Practice to the regulation. The presumptions of practice should have been incorporated to the regulation years ago when the technical standards (§ 1.9) were incorporated. It was an oversight that we are now correcting.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until December 4, 2020 by contacting the appropriate party at the address listed below:

Amy Stewart
Board of Registration for Professional Land Surveyors
1511 Pontiac Ave, Bldg. 68-1
CRANSTON, RI 02920
amy.stewart@dbr.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Regulatory Analysis Summary and Supporting Documentation:

The changes to the continuing education requirements for the renewal cycle due on 6/30/2021 add flexibility to the licensing process for professional land surveyors given the limitations on in-person gatherings resulting from the Covid-19 pandemic. The required PDHs have been reduced by half and all may be obtained through online courses. This added flexibility and reduction of hours for this biennial renewal is a benefit to all licensees.

The remaining changes add clarity and consolidate all technical requirements into the regulation. Any impact on small businesses resulting from these amendments will be positive. In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation see agency contact person above.