

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1063

Introduced by Assembly Member Eggman

February 22, 2013

An act to amend ~~Section~~ *Sections 6732, 8751, and 8772* of, and to add Section 8764.6 to, the Business and Professions Code, relating to surveyors *and engineers*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1063, as amended, Eggman. ~~Record of survey: additional information.~~ *Surveyors and engineers.*

Existing law provides for the licensing and regulation of professional engineers and land surveyors by the Board of Professional Engineers and Land Surveyors in the Department of Consumer Affairs. ~~Existing~~ *Existing law prohibits a person from representing themselves as an engineer or surveyor, as described by various titles, unless the person is licensed as an engineer or surveyor, as specified. Other existing law makes a violation of those prohibitions a misdemeanor.*

This bill would additionally prohibit a person from using the title "city engineer," "county engineer," "city surveyor," or "county surveyor," unless the person is licensed as an engineer or surveyor, respectively, as specified.

By expanding the scope of existing law, the violation of which is a crime, this bill would impose a state-mandated local program.

Existing law provides for the filing of a record of survey by licensed surveyor or licensed civil engineer with the county surveyor.

This bill would authorize a licensed surveyor to include additional information to be filed simultaneously, as a separate document, as specified, with a record of survey.

Existing law requires any monument set by a licensed land surveyor or registered civil engineer to mark or reference a point on a property or land line shall be permanently and visibly marked or tagged with the certificate number of the surveyor or civil engineer setting it, as specified, or if the monument is set by a public agency, to be marked with the name of the agency and the political subdivision it serves.

This bill would require the monument to be marked by the surveyor or civil engineer, as specified, and to be marked with the name of the agency and the political subdivision it serves, if the monument is set by a public agency.

~~By imposing additional duties on public agencies, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 6732 of the Business and Professions*
- 2 *Code is amended to read:*
- 3 *6732. It is unlawful for anyone other than a professional*
- 4 *engineer licensed under this chapter to stamp or seal any plans,*
- 5 *specifications, plats, reports, or other documents with the seal or*
- 6 *stamp of a professional engineer, or in any manner, use the title*
- 7 *“professional engineer,” “licensed engineer,” “registered engineer,”*

1 or “consulting engineer,” or any of the following branch titles:
2 “agricultural engineer,” “chemical engineer,” “*city engineer*,”
3 “civil engineer,” “control system engineer,” “*county engineer*,”
4 “electrical engineer,” “fire protection engineer,” “industrial
5 engineer,” “mechanical engineer,” “metallurgical engineer,”
6 “nuclear engineer,” “petroleum engineer,” or “traffic engineer,”
7 or any combination of these words and phrases or abbreviations
8 thereof unless licensed under this chapter.

9 *SEC. 2. Section 8751 of the Business and Professions Code is*
10 *amended to read:*

11 8751. No person shall represent himself or herself as, or use
12 the title of, or any abbreviation or combination of the words in the
13 title of, professional land surveyor, licensed land surveyor, land
14 surveyor, *city surveyor*, *county surveyor*, land survey engineer,
15 survey engineer, geodetic engineer, geomatics engineer, or
16 geometronic engineer unless he or she is the holder of a valid,
17 unsuspended, and unrevoked license.

18 ~~SECTION 1.~~

19 *SEC. 3. Section 8764.6 is added to the Business and Professions*
20 *Code, to read:*

21 8764.6. (a) A licensed surveyor or civil engineer may include
22 additional information to be filed simultaneously with a record of
23 survey. The additional information shall be in the form of a separate
24 document, formatted according to the applicable County Recorder
25 standards, with a statement that indicates its relationship to the
26 record of survey, describes conditions as of the date of recording,
27 and states that it is not intended to affect or alter the record title
28 interest. The statement shall also contain a notation identifying the
29 source of the information.

30 (b) The additional information may include any data necessary
31 for the interpretation of the various items and locations of the
32 points, lines, and areas shown on the record of survey map, or for
33 the identification of the survey or surveyor, as may be determined
34 by the civil engineer or land surveyor preparing the record of
35 survey. Additional information may include, but is not limited to,
36 unfiled maps, calculations, field notes, photographs, memoranda,
37 diagrams, reports, letters, e-mails, oaths, and diaries.

38 ~~SEC. 2.~~

39 *SEC. 4. Section 8772 of the Business and Professions Code is*
40 *amended to read:*

1 8772. (a) Any monument set by a licensed land surveyor or
 2 registered civil engineer to mark or reference a point on a property
 3 or land line shall be permanently and visibly marked or tagged
 4 with the certificate number of the surveyor or civil engineer setting
 5 it, each number to be preceded by the letters "L.S." or "R.C.E.,"
 6 respectively, as the case may be. If the monument is set by a public
 7 agency, it shall also be marked with the name of the agency and
 8 the political subdivision it serves.

9 (b) Nothing in this section shall prevent the inclusion of other
 10 information on the tag which will assist in the tracing or location
 11 of the survey records which relate to the tagged monument.

12 ~~SEC. 3. If the Commission on State Mandates determines that~~
 13 ~~this act contains costs mandated by the state, reimbursement to~~
 14 ~~local agencies and school districts for those costs shall be made~~
 15 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
 16 ~~4 of Title 2 of the Government Code.~~

17 *SEC. 5. No reimbursement is required by this act pursuant to*
 18 *Section 6 of Article XIII B of the California Constitution because*
 19 *the only costs that may be incurred by a local agency or school*
 20 *district will be incurred because this act creates a new crime or*
 21 *infraction, eliminates a crime or infraction, or changes the penalty*
 22 *for a crime or infraction, within the meaning of Section 17556 of*
 23 *the Government Code, or changes the definition of a crime within*
 24 *the meaning of Section 6 of Article XIII B of the California*
 25 *Constitution.*