



Illinois– Statutes and Rules for Professional Land Surveyors

Four (4) Continuing Education Hours
Course #ILLS101

Approved Continuing Education for Licensed Professional Land Surveyors

EZ-pdh.com
Ezekiel Enterprises, LLC
301 Mission Dr. Unit 571
New Smyrna Beach, FL 32170
800-433-1487
support@ez-pdh.com



Course Description:

The Illinois Laws and Rules course satisfies the minimum 4 hours of statutes and rules (ref. IAC 1270.65) in professional development required for Illinois licensed professional land surveyors.

The course is designed as a distance learning interactive course that enables the practicing land surveyor to keep up to date on the legal aspects that govern the practice of land surveying in the state of Illinois.

Objectives:

The primary objective of this course is to familiarize the student with the statutes and rules regulating the practice of land surveying in the state of Illinois.

Upon successful completion of the course, the student will be well versed with the IL state statutes and board rules.

Grading:

Students must achieve a minimum score of 70% on the online quiz to pass this course.

The quiz may be taken as many times as necessary to successfully pass and complete the course.

Table of Contents

ILLINOIS COMPILED STATUTES.....	3
ILLINOIS ADMINISTRATIVE CODE	37
References	99

ILLINOIS COMPILED STATUTES

225 ILCS 330 Illinois Professional Land Surveyor Act of 1989.

(225 ILCS 330/1) (from Ch. 111, par. 3251)

Sec. 1. Declaration of public policy. The practice of land surveying in the State of Illinois is hereby declared to affect the public health, safety, and welfare and to be subject to regulation and control in the public interest. It is further declared that the determination and physical protraction of land boundaries using the appropriate application of boundary law principles, together with the attendant preparation of legal descriptions and plats, which bear witness for posterity to chronicle the acts and wishes of landowners throughout this State is a matter of public interest and concern. Therefore, it is in the public interest that the practice of land surveying, as defined in this Act, merit and receive the confidence of the public, and that only qualified persons be authorized to practice land surveying in the State of Illinois. This Act shall be liberally construed to best carry out this purpose.

(Source: P.A. 100-171, eff. 1-1-18.)

(225 ILCS 330/1) (from Ch. 111, par. 3251)

Sec. 1. Declaration of public policy. The practice of land surveying in the State of Illinois is hereby declared to affect the public health, safety, and welfare and to be subject to regulation and control in the public interest. It is further declared that the determination and physical protraction of land boundaries using the appropriate application of boundary law principles, together with the attendant preparation of legal descriptions and plats, which bear witness for posterity to chronicle the acts and wishes of landowners throughout this State is a matter of public interest and concern. Therefore, it is in the public interest that the practice of land surveying, as defined in this Act, merit and receive the confidence of the public, and that only qualified persons be authorized to practice land surveying in the State of Illinois. This Act shall be liberally construed to best carry out this purpose.

(Source: P.A. 100-171, eff. 1-1-18.)

(225 ILCS 330/2) (from Ch. 111, par. 3252)

Sec. 2. Short title. This Act shall be known and may be cited as the Illinois Professional Land Surveyor Act of 1989.

(Source: P.A. 86-987.)

(225 ILCS 330/3) (from Ch. 111, par. 3253)

Sec. 3. Exceptions. This Act does not prohibit any person licensed in this State under any other Act from engaging in the practice for which that person is licensed.

(Source: P.A. 93-467, eff. 1-1-04.)

(225 ILCS 330/4) (from Ch. 111, par. 3254)

Sec. 4. Definitions. As used in this Act:

(a) "Department" means the Department of Financial and Professional Regulation.

(b) "Secretary" means the Secretary of Financial and Professional Regulation.

(c) "Board" means the Land Surveyors Licensing Board.

(d) "Direct supervision and control" means the personal review by a licensed professional land surveyor of each survey, including, but not limited to, procurement, research, field work, calculations, preparation of legal descriptions and plats. The personal review shall be of such a nature as to assure the client that the professional land surveyor or the firm for which the professional land surveyor is employed is the provider of the surveying services.

(e) "Responsible charge" means an individual responsible for the various components of the land survey operations subject to the overall supervision and control of the professional land surveyor.

(f) "Design professional" means a land surveyor, architect, structural engineer, or professional engineer licensed in conformance with this Act, the Illinois Architecture Practice Act of 1989, the Structural Engineering Practice Act of 1989, or the Professional Engineering Practice Act of 1989.

(g) "Professional land surveyor" means any person licensed under the laws of the State of Illinois to practice land surveying, as defined by this Act or its rules.

(h) "Surveyor intern" means any person licensed under the laws of the State of Illinois who has qualified for, taken, and passed an examination in the fundamental land surveying subjects as provided by this Act or its rules.

(i) "Land surveying experience" means those activities enumerated in Section 5 of this Act, which, when exercised in combination, to the satisfaction of the Board, is proof of an applicant's broad range of training in and exposure to the prevailing practice of land surveying.

(j) "Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit.

(k) "Standard of care" means the use of the same degree of knowledge, skill, and ability as an ordinarily careful and reasonable professional land surveyor would exercise under similar circumstances.

(l) "Establishing" means performing an original survey. An original survey establishes boundary lines within an original division of a tract of land which has theretofore existed as one unit or parcel and describing and monumenting a line or lines of a parcel or tract of land on the ground for the first time. An original surveyor is the creator of one or more new boundary lines.

(m) "Reestablishing" or "locating" means performing a retracement survey. A retracement survey tracks the footsteps of the original surveyor, locating boundary lines and corners which have been established by the original survey. A retracement survey cannot establish new corners or lines or correct errors of the original survey.

(n) "Boundary law principles" means applying the decisions, results, and findings of land boundary cases that concern the establishment of boundary lines and corners.

(o) "Email address of record" means the designated email address of record by the Department in the applicant's application file or the licensee's license file as maintained by the Department's licensure maintenance unit.

(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/4.5)

Sec. 4.5. Address of record; email address of record. All applicants and licensees shall:

(1) provide a valid address and email address to the Department, which shall serve as the address of record and email address of record, respectively, at the time of application for licensure or renewal of a license; and

(2) inform the Department of any change of address of record or email address of record within 14 days after such change either through the Department's website or by contacting the Department's licensure maintenance unit.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/5) (from Ch. 111, par. 3255)

Sec. 5. Practice of land surveying defined. Any person who practices in Illinois as a professional land surveyor who renders, offers to render, or holds himself or herself out as able to render, or perform any service, the adequate performance of which involves the special knowledge of the art and application of the principles of the accurate and precise measurement of length, angle, elevation or volume, mathematics, the related physical and applied sciences, and the relevant requirements of applicable boundary law principles and performed with the appropriate standard of care, all of which are acquired by education, training, experience, and examination. Any one or a combination of the following practices constitutes the practice of land surveying:

(a) Establishing or reestablishing, locating, defining, and making or monumenting land boundaries or title or real property lines and the platting of lands and subdivisions;

(b) Determining the area or volume of any portion of the earth's surface, subsurface, or airspace with respect to boundary lines, determining the configuration or contours of any portion of the earth's surface, subsurface, or airspace or the location of fixed objects thereon, except as performed by photogrammetric methods by persons holding certification from the American Society of Photogrammetry and Remote Sensing or substantially similar certification as approved by the Department, or except when the level of accuracy required is less than the level of accuracy required by the National Society of Professional Surveyors Model Standards and Practice;

(c) Preparing descriptions for the determination of title or real property rights to any portion or volume of the earth's surface, subsurface, or airspace involving the lengths and direction of boundary lines, areas, parts of platted parcels or the contours of the earth's surface, subsurface, or airspace;

(d) Labeling, designating, naming, preparing, or otherwise identifying legal lines or land title lines of the United States Rectangular System or any subdivision thereof on any plat, map, exhibit, photograph, photographic composite, or mosaic or photogrammetric map of any portion of the earth's surface for the purpose of recording and amending the same by the issuance of a certificate of correction in the Office of Recorder in any county;

(e) Any act or combination of acts that would be viewed as offering professional land surveying services including:

(1) setting monuments which have the appearance of or for the express purpose of marking land boundaries, either directly or as an accessory;

(2) providing any sketch, map, plat, report, monument record, or other document which indicates land boundaries and monuments, or accessory monuments thereto, except that if the sketch, map, plat, report, monument record, or other document is a copy of an original prepared by a professional land surveyor, and if proper reference to that fact be made on that document;

(3) performing topographic surveys, with the exception of a licensed professional engineer knowledgeable in topographical surveys who performs a topographical survey specific to his or her design project. A licensed professional engineer may not, however, offer topographic surveying services that are independent of his or her specific design project;

(4) locating, relocating, establishing, reestablishing, retracing, laying out, or staking of the location, alignment, or elevation of any existing or proposed improvements whose location is dependent upon property, easement, and right-of-way boundaries;

(5) providing consultation, investigation, planning, mapping, assembling, and authoritative interpretation of gathered measurements, documents, and evidence in relation to the location of property, easement, and right-of-way boundaries; or

(6) measuring, evaluating, mapping, or reporting the location of existing or proposed buildings, structures, or other improvements or their surrounding topography with respect to current flood insurance rate mapping or federal emergency management agency mapping along with locating of inland wetland boundaries delineated by a qualified specialist in relation to the location of property, easement, and right-of-way boundaries.

(f) Determining the horizontal or vertical position or state plane coordinates for any monument or reference point that marks a title or real property line, boundary, or corner, or to set, reset, or replace any monument or reference point on any title or real property;

(g) Creating, preparing, or modifying electronic or computerized data or maps, including land information systems and geographic information systems, relative to the performance of activities in items (a), (b), (d), (e), (f), and (h) of this Section, except where electronic means or computerized data is otherwise utilized to integrate, display, represent, or assess the created, prepared, or modified data;

(h) Determining or adjusting any control network or any geodetic control network or cadastral data as it pertains to items (a) through (g) of this Section together with the

assignment of measured values to any United States Rectangular System corners, title or real property corner monuments or geodetic monuments;

(i) Preparing and attesting to the accuracy of a map or plat showing the land boundaries or lines and marks and monuments of the boundaries or of a map or plat showing the boundaries of surface, subsurface, or air rights;

(j) Executing and issuing certificates, endorsements, reports, or plats that portray the horizontal or vertical relationship between existing physical objects or structures and one or more corners, datums, or boundaries of any portion of the earth's surface, subsurface, or airspace;

(k) Acting in direct supervision and control of land surveying activities or acting as a manager in any place of business that solicits, performs, or practices land surveying;

(l) Boundary analysis and determination of property, easement, or right-of-way lines on any plat submitted for regulatory review by governmental or municipal agencies;

(m) Offering or soliciting to perform any of the services set forth in this Section.

In the performance of any of the foregoing functions, a licensee shall adhere to the standards of professional conduct enumerated in 68 Ill. Adm. Code 1270.57. Nothing contained in this Section imposes upon a person licensed under this Act the responsibility for the performance of any of the foregoing functions unless such person specifically contracts to perform such functions.

(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/6) (from Ch. 111, par. 3256)

(Section scheduled to be repealed on January 1, 2030)

Sec. 6. Powers and duties of the Department. The Department shall exercise, subject to the provisions of this Act, the following functions, powers, and duties:

(1) Authorize examinations to ascertain the fitness and qualifications of applicants for licensure and pass upon the qualifications and fitness of applicants for licensure by endorsement.

(2) Adopt rules required for the administration of this Act.

(3) Conduct hearings on proceedings to refuse to issue or renew, revoke, or suspend licenses, or place on probation or reprimand persons or entities licensed under this Act.

(4) Adopt rules for what constitutes land surveying experience.

(5) Adopt rules defining what constitutes an approved surveying or related science curriculum.

(6) Issue licenses to those who meet the requirements of this Act.

(7) Maintain membership in the National Council of Engineering Examiners or a similar organization and participate in activities of the Council or organization by designating individuals for the various classifications of membership and appoint delegates for attendance at zone and national meetings of the Council or organization.

(8) Obtain written recommendations from the Board regarding qualification of individuals for licensing, definition of curriculum content and approval of surveying curriculums, standards of professional conduct and disciplinary actions, adopt and amend the rules affecting these matters, and consult with the Board on other matters affecting administration of this Act.

(8.5) Review application qualifications to sit for the examination or for licensure that the Board designates pursuant to Section 8.

(9) Adopt rules for a Code of Ethics and Standards of Practice to be followed by persons licensed under this Act. The Department shall consider the recommendations of the Board in establishing the Code of Ethics and Standards of Practice.

(10) Conduct investigations related to possible violations of this Act.

(11) Post on the Department's website a newsletter describing the most recent changes to this Act and the rules adopted under this Act and containing information of any final disciplinary action that has been ordered under this Act since the date of the last newsletter.

Upon the issuance of any final decision or order that deviates from any report or recommendation of the Board relating to the qualification of applicants, discipline of licensees or registrants, or adoption of rules, the Secretary shall notify the Board on any such deviation and shall specify with particularity the reason for the action in the final decision or order.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/7) (from Ch. 111, par. 3257)

Sec. 7. Board.

(a) The Secretary shall appoint a Professional Land Surveyor Board. The Board shall consist of 7 members who shall serve in an advisory capacity to the Secretary. All members shall be residents of Illinois. Six members shall (i) currently hold a valid professional land surveyor license in Illinois and shall have held the license under this Act for the preceding 10 years, and (ii) shall not have been disciplined within the preceding 10 years under this Act. In addition to the 6 professional land surveyors, there shall be one public member. The public member shall be a voting member and shall not be licensed under this Act or any other design profession licensing Act that the Department administers.

(b) Board members shall serve for 5-year terms and until their successors are qualified and appointed.

(c) In appointing members to the Board, the Secretary shall give due consideration to recommendations by members and organizations of the professional land surveyor profession.

(d) The membership of the Board should reasonably reflect representation from the geographic areas in this State.

(e) No member shall be reappointed to the Board for a term that would cause his or her continuous service on the Board to be longer than 2 consecutive 5-year terms.

(f) Appointments to fill vacancies shall be made in the same manner as original appointments for the unexpired portion of the vacated term.

(g) Four members shall constitute a quorum. A quorum is required for Board decisions.

(h) The Secretary may remove any member of the Board for misconduct, incompetence, or neglect of duty or for reasons prescribed by law for removal of State officials. The Secretary may remove a member of the Board who does not attend 2 consecutive meetings.

(i) Notice of proposed rulemaking shall be transmitted to the Board and the Department shall review the response of the Board and any recommendations made therein.

(j) Members of the Board shall not be liable for damages in any action or proceeding as a result of activities performed as members of the Board, except upon proof of actual malice.

(k) Members of the Board shall be reimbursed for all legitimate, necessary, and authorized expenses.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/8) (from Ch. 111, par. 3258)

(Section scheduled to be repealed on January 1, 2030)

Sec. 8. Powers and duties of the Board. Subject to the provisions of this Act, the Board shall exercise the following functions, powers, and duties:

(a) The Board shall hold at least 3 regular meetings each year.

(b) The Board shall annually elect a chairperson and a vice chairperson who shall be Illinois licensed professional land surveyors.

(c) The Board, upon request by the Department, may make a curriculum evaluation to approve a land surveying degree or a related science degree and submit to the Secretary a written recommendation of acceptability of a curriculum.

(d) (Blank).

(e) The Department may at any time seek the expert advice and knowledge of the Board on any matter relating to the enforcement of this Act.

(f) The Board may appoint a subcommittee to serve as a Complaint Committee to recommend the disposition of case files according to procedures established by rule.

(g) The Board shall assist the Department in conducting oral interviews, disciplinary conferences, informal conferences, and formal evidentiary hearings.

(h) The Board shall review applicant qualifications to sit for the examination for licensure and shall make recommendations to the Department except for those applicant qualifications that the Board designates as routinely acceptable.

(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/10) (from Ch. 111, par. 3260)

Sec. 10. Application for licensure.

(a) Applications for original licenses shall be made to the Department in writing on forms or electronically as prescribed by the Department and shall be accompanied by the required fee, which shall not be refundable. All applications shall contain information that, in the judgment of the Department, will enable the Department to pass on the qualifications of the applicant for a license as a professional land surveyor

or surveyor intern. The Department may require an applicant, at the applicant's expense, to have an evaluation of the applicant's education in a foreign country by a nationally recognized evaluation service approved by the Department in accordance with rules adopted by the Department.

(b) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/10.5)

Sec. 10.5. Social Security Number on license application. In addition to any other information required to be contained in the application, every application for an original license under this Act shall include the applicant's Social Security Number, which shall be retained in the agency's records pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

Every application for a renewal or restored license shall require the applicant's customer identification number.

(Source: P.A. 97-400, eff. 1-1-12.)

(225 ILCS 330/11) (from Ch. 111, par. 3261)

Sec. 11. Examination.

(a) The Department shall authorize examinations of applicants for a license under this Act at such times and places as it may determine by rule. The examinations shall be of a character to give a fair test of the qualifications of the applicant to practice as a professional land surveyor or surveyor intern.

(b) Applicants for examination are required to pay, either to the Department or the designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

(c) If an applicant fails to pass an examination for licensure under this Act within 3 years after filing the application, the application shall be denied. However, such applicant may thereafter make a new application for examination accompanied by the

required fee and must furnish proof of meeting the qualifications for examination in effect at the time of new application.

(d) All applicants for licensing as a professional land surveyor shall be required to pass a jurisdictional examination to determine the applicant's knowledge of the surveying tasks unique to the State of Illinois and the laws relating thereto.

(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/12) (from Ch. 111, par. 3262)

Sec. 12. Qualifications for licensing.

(a) A person is qualified to receive a license as a professional land surveyor and the Department shall issue a license to a person:

(1) who has applied in writing in the required form to the Department or electronically;

(2) who has not violated any provision of this Act or its rules;

(3) who is of good ethical character, including

compliance with the Code of Ethics and Standards of Practice adopted by rule under this Act, and has not committed an act or offense in any jurisdiction that would constitute grounds for discipline of a land surveyor licensed under this Act;

(4) who has been issued a license as a surveyor intern;

(5) who, subsequent to passing the examination authorized by the Department for licensure as a surveyor intern, has at least 4 years of responsible charge experience verified by a professional land surveyor in direct supervision and control of his or her activities;

(6) who has passed an examination authorized by the Department to determine his or her fitness to receive a license as a professional land surveyor; and

(7) who satisfies one of the following educational requirements:

(A) is a graduate of an approved land surveying curriculum of at least 4 years who has passed an examination in the fundamentals of surveying, as defined by rule; or

(B) is a graduate of a baccalaureate curriculum of at least 4 years, including at least 24 semester hours of land surveying courses from an approved land surveying

curriculum and the related science courses, who has passed an examination in the fundamentals of surveying, as defined by rule.

(b) A person is qualified to receive a license as a surveyor intern and the Department shall issue a license to a person:

(1) who has applied in writing in the required form provided by the Department or electronically;

(2) (blank);

(3) who is of good moral character;

(4) who has the required education as set forth in this Act; and

(5) who has passed an examination authorized by the Department to determine his or her fitness to receive a license as a surveyor intern in accordance with this Act.

In determining moral character under this Section, the Department may take into consideration whether the applicant has engaged in conduct or actions that would constitute grounds for discipline under this Act.

(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

Sec. 12. Qualifications for licensing.

(a) A person is qualified to receive a license as a professional land surveyor and the Department shall issue a license to a person:

(1) who has applied in writing in the required form to the Department or electronically;

(2) who has not violated any provision of this Act or its rules;

(3) who is of good ethical character, including compliance with the Code of Ethics and Standards of Practice adopted by rule under this Act, and has not committed an act or offense in any jurisdiction that would constitute grounds for discipline of a land surveyor licensed under this Act;

(4) who has been issued a license as a surveyor intern;

(5) who, subsequent to conferral of a degree meeting one of the educational requirements listed in paragraph (7), has at least 4 years of responsible charge experience verified by a professional land surveyor in direct supervision and control of his or her activities;

(6) who has passed an examination authorized by the Department to determine his or her fitness to receive a license as a professional land surveyor; and

(7) who satisfies one of the following educational requirements:

(A) is a graduate of an approved land surveying curriculum of at least 4 years who has passed an examination in the fundamentals of surveying, as defined by rule; or

(B) is a graduate of a baccalaureate curriculum of at least 4 years, including at least 24 semester hours of land surveying courses from an approved land surveying curriculum and the related science courses, who has passed an examination in the fundamentals of surveying, as defined by rule.

(b) A person is qualified to receive a license as a surveyor intern and the Department shall issue a license to a person:

(1) who has applied in writing in the required form provided by the Department or electronically;

(2) (blank);

(3) who is of good moral character;

(4) who has the required education as set forth in this Act; and

(5) who has passed an examination authorized by the Department to determine his or her fitness to receive a license as a surveyor intern in accordance with this Act.

In determining moral character under this Section, the Department may take into consideration whether the applicant has engaged in conduct or actions that would constitute grounds for discipline under this Act.

(Source: P.A. 103-1044, eff. 1-1-25.)

(225 ILCS 330/13) (from Ch. 111, par. 3263)

Sec. 13. Minimum standards for enrollment as a surveyor intern. To enroll as a surveyor intern, an applicant must be:

(1) a graduate of an approved land surveying curriculum of at least 4 years who has passed an examination in the fundamentals of surveying, as defined by rule;

(2) an applicant in the last year of an approved land surveying or related science curriculum who passes an examination in the fundamentals of surveying, as defined by

rule, and furnishes proof that the applicant graduated within a 12-month period following the examination; or

(3) a graduate of a baccalaureate curriculum of at least 4 years, including at least 24 semester hours of land surveying courses from an approved land surveying curriculum and the related science courses, as defined by rule, who passes an examination in the fundamentals of surveying, as defined by rule.

(Source: P.A. 100-171, eff. 1-1-18; 100-863, eff. 8-14-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/14) (from Ch. 111, par. 3264)

Sec. 14. Display of license. Every holder of a license under this Act shall display the license in a conspicuous place in his or her office, place of business, or place of employment.

(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/15) (from Ch. 111, par. 3265)

Sec. 15. Seal. Every professional land surveyor shall have a reproducible seal, which may be computer generated, the impression of which shall contain the name of the land surveyor, his or her place of business, the license number of the professional land surveyor, and the words "Professional Land Surveyor, State of Illinois". A professional land surveyor shall seal all documents prepared by or under the direct supervision and control of the professional land surveyor. Any seal authorized or approved by the Department under the Illinois Land Surveyors Act shall serve the same purpose as the seal provided for by this Act. The licensee's written signature and date of signing along with the date of license expiration shall be placed adjacent to the seal. The licensee may provide, at his or her sole discretion, an original signature in the licensee's handwriting, a scanned copy of the document bearing an original signature, or a signature generated by a computer.

It is unlawful to affix one's seal to documents if it masks the true identity of the person who actually exercised direction, control, and supervision of the preparation of that work. A professional land surveyor who seals and signs documents is not responsible for damage caused by subsequent changes to or uses of those documents where the subsequent changes or uses, including changes or uses made by State or local governmental agencies, are not authorized or approved by the professional land surveyor who originally sealed and signed the documents.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/15.5)

Sec. 15.5. Titles.

(a) A professional land surveyor may use the initials "P.L.S." and "L.S." and the title of "Professional Land Surveyor" or any of its derivations in Illinois.

(b) A surveyor intern may use the initials "S.I." and the title of "Surveyor Intern" or any of its derivations in Illinois.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/16) (from Ch. 111, par. 3266)

Sec. 16. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds himself or herself out to practice as a professional land surveyor or surveyor intern without being licensed or exempt under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense, as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with this Act regarding the provision of a hearing for the discipline of a licensee.

(b) A firm or business that offers design services under this Act without being licensed as a professional design firm or exempt under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense, as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with this Act regarding the provision of a hearing for the discipline of a licensee.

(c) The Department may investigate any actual, alleged, or suspected unlicensed activity.

(d) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a final judgment and may be filed and executed in the same manner as any judgment from any court of record.

(e) A person or entity not registered under this Act who has violated any provision of this Act or its rules is guilty of a Class A misdemeanor for the first offense and a Class 4 felony for a second and subsequent offense.

(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/17) (from Ch. 111, par. 3267)

Sec. 17. Surveyor intern; supervision. It is unlawful for any surveyor intern licensed under this Act to practice or attempt to practice land surveying except when in

responsible charge under the overall supervision of a professional land surveyor.
(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/18) (from Ch. 111, par. 3268)

Sec. 18. Renewal, reinstatement, or restoration of license; persons in military service.

(a) The expiration date and renewal period for each license as a professional land surveyor issued under this Act shall be set by rule. The holder of a license may renew such license during the month preceding the expiration date by paying the required fee.

(b) A professional land surveyor who has permitted his or her license to expire or has had his or her license placed on inactive status may have his or her license restored by making application to the Department and filing proof acceptable to the Department of his or her fitness to have his or her license restored, including, but not limited to, sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department and by paying the required fee as determined by rule.

(c) A professional land surveyor whose license has expired while engaged (1) in federal service on active duty with the Armed Forces of the United States or the State Militia called into service or training, or (2) in training or education under the supervision of the United States before induction into the military service, may have the license restored or reinstated without paying any lapsed reinstatement, renewal, or restoration fees if within 2 years after termination other than by dishonorable discharge of such service, training, or education the Department is furnished with satisfactory evidence that the licensee has been so engaged in the practice of land surveying and that such service, training, or education has so terminated.

(d) A license for a surveyor intern does not expire.
(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/18.5)

Sec. 18.5. Continuing education. The Department may adopt rules of continuing education for persons licensed under this Act. The Department shall consider the recommendations of the Board in establishing the guidelines for the continuing education requirements. The requirements of this Section apply to any person seeking renewal or restoration under Section 18 of this Act. For the purposes of this Act, continuing education shall also be known as professional development.
(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/19) (from Ch. 111, par. 3269)

Sec. 19. Inactive status. Any person who notifies the Department, in writing on forms prescribed by the Department, may place his or her license on inactive status and shall be excused from the payment of renewal fees until he or she notifies the Department in writing of the intention to resume active status.

Any professional land surveyor whose license is in inactive status shall not practice land surveying in the State of Illinois.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/19.5)

Sec. 19.5. Professional Land Surveyor, Retired.

(a) Pursuant to Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, the Department may grant the title "Professional Land Surveyor, Retired", which may be used by any person who has been duly licensed as a professional land surveyor under this Act and who has chosen to place his or her license on inactive status or not renew his or her license. Those persons granted the title "Professional Land Surveyor, Retired" may request restoration to active status under the applicable provisions of this Act.

(b) The use of the title "Professional Land Surveyor, Retired" shall not constitute representation of current licensure. Any person without an active license shall not be permitted to practice professional land surveying as defined in this Act.

(c) Nothing in this Section shall be construed to require the Department to issue any certificate, credential, or other official document indicating that a person has been granted the title "Professional Land Surveyor, Retired".

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/20) (from Ch. 111, par. 3270)

Sec. 20. Endorsement.

(a) The Department may, upon application in writing on forms or electronically accompanied by the required fee, issue a license as a professional land surveyor to an applicant licensed under the laws of another state, the District of Columbia, or a U.S. territory if the requirements for licensure in that jurisdiction were, on the date of original licensure, substantially equivalent to the requirements then in force in this State.

(b) All applicants for endorsement shall pass a jurisdictional examination to determine the applicant's knowledge of the surveying tasks unique to the State of Illinois and the laws pertaining thereto.

(c) If the accuracy of any submitted documentation or relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies, or conflicts in information given or a need for clarification, the applicant seeking licensure may be required to provide additional information.

(d) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 101-313, eff. 8-9-19.)

Sec. 20. Endorsement.

(a) The Department may, upon application in writing on forms or electronically accompanied by the required fee, issue a license as a professional land surveyor to an applicant licensed under the laws of another state, the District of Columbia, a territory of the United States, or a foreign country if the requirements for licensure in that other jurisdiction were, on the date of original licensure, substantially equivalent to the requirements then in force in this State.

(b) All applicants for endorsement shall pass a jurisdictional examination to determine the applicant's knowledge of the surveying tasks unique to the State of Illinois and the laws pertaining thereto.

(c) If the accuracy of any submitted documentation or relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies, or conflicts in information given or a need for clarification, the applicant seeking licensure may be required to provide additional information.

(d) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 103-1044, eff. 1-1-25.)

(225 ILCS 330/21) (from Ch. 111, par. 3271)

Sec. 21. Fees.

(a) The Department shall provide by rule for a schedule of fees to be paid for licenses by all applicants. All fees are not refundable.

(b) The fees for the administration and enforcement of this Act, including, but not limited to, original licensure, renewal, and restoration, shall be set by rule by the Department.

(c) All fees and fines collected as authorized under this Act shall be deposited into the Design Professionals Administration and Investigation Fund. Of the moneys deposited into the Design Professionals Administration and Investigation Fund, the Department may use such funds as necessary to produce and distribute newsletters to persons licensed under this Act.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/24) (from Ch. 111, par. 3274)

Sec. 24. Advertising. Any person licensed under this Act may advertise the availability of professional services in the public media or on the premises where such professional services are rendered, as permitted by law; provided, that such advertising is truthful and not misleading.

(Source: P.A. 86-987.)

(225 ILCS 330/25) (from Ch. 111, par. 3275)

Sec. 25. Professional design firm registration.

(a) Nothing in this Act shall prohibit the formation, under the provisions of the Professional Service Corporation Act, of a corporation to offer the practice of professional land surveying.

Any business, including a professional service corporation, that includes within its stated purposes or practices, or holds itself out as available to practice, professional land surveying shall be registered with the Department pursuant to the provisions set forth in this Section.

Any sole proprietorship not owned and operated by an Illinois licensed design professional licensed under this Act shall be prohibited from offering professional land surveyor services to the public. Any sole proprietorship owned and operated by a professional land surveyor with an active license issued under this Act and conducting or transacting such business under an assumed name in accordance with the provisions

of the Assumed Business Name Act shall comply with the registration requirements of a professional design firm. Any sole proprietorship owned and operated by a professional land surveyor with an active license issued under this Act and conducting or transacting such business under the real name of the sole proprietor is exempt from the registration requirements of a professional design firm. "Illinois licensed design professional" means a person who holds an active license as a professional engineer under the Professional Engineering Practice Act of 1989, as an architect under the Illinois Architecture Practice Act of 1989, as a structural engineer under the Structural Engineering Practice Act of 1989, or as a professional land surveyor under this Act.

(b) Any professional design firm seeking to be registered pursuant to the provisions of this Section shall not be registered unless one or more managing agents in charge of land surveyor activities in this State are designated by the professional design firm. Each managing agent must at all times maintain a valid, active license to practice professional land surveying in Illinois.

No individual whose license to practice professional land surveying in this State is currently in a suspended or revoked state shall act as a managing agent for a professional design firm.

(c) Any business seeking to be registered under this Section shall make application on a form provided by the Department and shall provide such information as requested by the Department, which shall include, but not be limited to:

(1) the name and license number of the person designated as the managing agent in responsible charge of the practice of professional land surveying in Illinois. In the case of a corporation, the corporation shall also submit a certified copy of the resolution by the board of directors designating the managing agent. In the case of a limited liability company, the company shall submit a certified copy of either its articles of organization or operating agreement designating the managing agent;

(2) the names and license numbers of the directors, in the case of a corporation, the members, in the case of a limited liability company, or general partners, in the case of a partnership;

(3) a list of all office locations at which the professional design firm provides professional land surveying services to the public; and

(4) a list of all assumed names of the business. Nothing in this Section shall be construed to exempt a professional design firm, sole proprietorship, or professional

service corporation from compliance with the requirements of the Assumed Business Name Act.

It is the responsibility of the professional design firm to provide the Department notice, in writing, of any changes in the information requested on the application.

(d) The Department shall issue to each business a certificate of registration to practice professional land surveying or offer the services of its licensees in this State upon submittal of a proper application for registration and payment of fees. The expiration date and renewal period for each registration and renewal procedures shall be established by rule.

(e) In the event a managing agent is terminated or terminates his or her status as managing agent of the professional design firm, the managing agent and the professional design firm shall notify the Department of this fact in writing, by regular mail or email, within 10 business days of such termination. Thereafter, the professional design firm, if it has so informed the Department, shall have 30 days in which to notify the Department of the name and licensure number of a newly designated managing agent. If a corporation, the corporation shall also submit a certified copy of a resolution by the board of directors designating the new managing agent. If a limited liability company, the company shall also submit a certified copy of either its articles of organization or operating agreement designating the new managing agent. The Department may, upon good cause shown, extend the original 30-day period.

If the professional design firm has not notified the Department in writing, by regular mail or email within the specified time, the registration shall be terminated without prior hearing. Notification of termination shall be sent by regular mail or email to the address of record of the business. If the professional design firm continues to operate and offer professional land surveyor services after the termination, the Department may seek prosecution under Sections 16 and 27 of this Act for the unlicensed practice of professional land surveying.

No professional design firm shall be relieved of responsibility for the conduct or acts of its agent, employees, members, managers, or officers by reason of its compliance with this Section, nor shall any individual practicing professional land surveying be relieved of the responsibility for professional services performed by reason of the individual's employment or relationship with a professional design firm registered under this Section.

(g) Disciplinary action against a professional design firm registered under this Section shall be administered in the same manner and on the same grounds as disciplinary

action against a licensed professional land surveyor. All disciplinary action taken or pending against a corporation or partnership before the effective date of this amendatory Act of 1999 shall be continued or remain in effect without the Department filing separate actions.

(h) Any professional services corporation, sole proprietorship, or professional design firm offering land surveying services must have a resident professional land surveyor whose license is not suspended or revoked overseeing the land surveying practices in each location in which land surveying services are provided.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/27) (from Ch. 111, par. 3277)

Sec. 27. Grounds for disciplinary action.

(a), with regard to any license issued under this Act, for any one or a combination of the following reasons:

- (1) Material misstatement in furnishing information to the Department.
- (2) Negligence, incompetence, or misconduct in the practice of land surveying.
- (3) Failure to comply with any provision of this Act or any of its rules.
- (4) Fraud or any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal or restoration of a license under this Act.
- (5) Purposefully making false statements or signing false statements, certificates, or affidavits to induce payment.
- (6) Conviction of or entry of a plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation under the laws of any jurisdiction of the United States that is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, that is directly related to the practice of the profession of land surveying.
- (7) Aiding or assisting another person in violating any provision of this Act or its rules.
- (8) Failing to provide information in response to a written request made by the Department within 60 days after receipt of such written request.

(9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(10) Habitual or excessive use or abuse of drugs defined in law as controlled substances, of alcohol, narcotics, stimulants, or any other substances that results in the inability to practice with reasonable judgment, skill, or safety.

(11) A finding by the Department that an applicant or licensee has failed to pay a fine imposed by the Department.

(12) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation or failed to comply with such terms.

(13) Inability to practice the profession with reasonable judgment, skill, or safety as a result of physical illness, including, but not limited to, deterioration through the aging process, loss of motor skill, mental illness, or disability.

(14) Discipline by another state, territory, foreign country, the District of Columbia, the United States government, or any other government agency if at least one of the grounds for discipline is the same or substantially equivalent to those set forth in this Act.

(15) The making of any willfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act.

(16) Using or attempting to use an expired, inactive, suspended, or revoked license or the certificate or seal of another or impersonating another licensee.

(17) Directly or indirectly giving to or receiving from any person or entity any fee, commission, rebate, or other form of compensation for any professional service not actually or personally rendered.

(18) Issuing a map or plat of a survey where the fee for professional services is contingent on a real estate transaction closing.

(19) Signing or affixing the professional landsurveyor's seal or permitting the seal to be affixed to any map or plat of a survey not prepared by the professional land surveyor or under the professional land surveyor's direct supervision and control.

(20) Failure to adequately supervise or control land surveying operations being performed by subordinates.

(a-5) In enforcing this Section, the Department or Board, upon a showing of a possible violation, may compel a person licensed to practice under this Act, or who has applied for licensure or certification pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of an individual to submit to a mental or physical examination when directed shall be grounds for the immediate suspension of his or her license until the individual submits to the examination if the Department finds that the refusal to submit to the examination was without reasonable cause as defined by rule.

If the Secretary immediately suspends the license of a licensee for his or her failure to submit to a mental or physical examination when directed, a hearing must be convened by the Department within 15 days after the suspension and completed without appreciable delay.

If the Secretary otherwise suspends a person's license pursuant to the results of a compelled mental or physical examination, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Any licensee suspended under this subsection (a-5) shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with the acceptable and prevailing standards under the provisions of his or her license.

(b) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic license suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging

the patient and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice.

(c) (Blank).

(d) If the Department of Healthcare and Family Services (formerly the Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department shall refuse to issue or renew or shall revoke or suspend that person's license or shall take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(e) The Department shall refuse to issue or renew or shall revoke or suspend a person's license or shall take other disciplinary action against that person for his or her failure to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. (Source: P.A. 100-872, eff. 8-14-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/28) (from Ch. 111, par. 3278)

Sec. 28. Injunction; cease and desist order.

(a) If any person or entity violates this Act, the Secretary, in the name of the People of the State of Illinois, through the Attorney General or the State's Attorney of the county in which the violation is alleged to have occurred may petition for an order enjoining the violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition, the court with appropriate jurisdiction may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin the violation. If it is established that the person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this Section are in addition to and not in lieu of any other remedies and penalties provided by this Act.

(b) Whenever, in the opinion of the Department, a person or entity violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person or entity. The rule shall

clearly set forth the grounds relied upon by the Department and shall allow at least 7 days from the date of the rule to file an answer satisfactory to the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/29) (from Ch. 111, par. 3279)

Sec. 29. Investigations; notice and hearing.

(a) The Department may investigate the actions of any applicant or of any person or entity holding or claiming to hold a license under this Act.

(b) Before the initiation of a formal complaint, the matter shall be reviewed by a subcommittee of the Board according to procedures established by rule for the Complaint Committee. If a subcommittee has not been formed, the matter shall proceed through the process as stated in subsection (c).

(c) The Department shall, before disciplining an applicant or licensee, at least 30 days prior to the date set for the hearing, (i) notify the applicant or licensee in writing of the charges made and the time and place for the hearing on the charges, (ii) direct the applicant or licensee to file a written answer to the charges under oath within 20 days after the service of the notice, and (iii) inform the applicant or licensee that failure to file a written answer to the charges will result in a default being entered against the applicant or licensee.

(d) Written or electronic notice, and any notice in the subsequent proceeding, may be served by personal delivery, by email, or by mail to the applicant or licensee at his or her address of record or email address of record.

(e) At the time and place fixed in the notice, the Board or hearing officer appointed by the Secretary shall proceed to hear the charges and the parties and their counsel shall be accorded ample opportunity to present any statement, testimony, evidence, and argument as may be pertinent to the charges or to the applicant's or licensee's defense. The Board or hearing officer may continue the hearing from time to time.

(f) In case the licensee or applicant, after receiving the notice, fails to file an answer, the license may, in the discretion of the Secretary, having first received the recommendation of the Board, be suspended, revoked, or placed on probationary status, or be subject to whatever disciplinary action the Secretary considers proper, including limiting the scope, nature, or extent of the person's practice or the imposition

of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

(g) Persons who assist the Department as consultants or expert witnesses in the investigation or prosecution of alleged violations of the Act, licensure matters, restoration proceedings, or criminal prosecutions, are not liable for damages in any civil action or proceeding as a result of their assistance, except upon proof of actual malice. The Attorney General shall defend these persons in any such action or proceeding. (Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/30) (from Ch. 111, par. 3280)

Sec. 30. Record of proceedings.

(a) The Department, at its expense, shall provide a certified shorthand reporter to take down the testimony and preserve a record of all proceedings at the hearing of any case where a license may be revoked, suspended, placed on probationary status, reprimanded, fined, or subjected to other disciplinary action with reference to the license when a disciplinary action is authorized under this Act and its rules. The notice of hearing, complaint, and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board, and the orders of the Department shall be the record of the proceedings. The record may be made available to any person interested in the hearing upon payment of the fee required by Section 2105-115 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(b) The Department may contract for court reporting services, and, if it does so, the Department shall provide the name and contact information for the certified shorthand reporter who transcribed the testimony at a hearing to any person interested, who may obtain a copy of the transcript of any proceedings at a hearing upon payment of the fee specified by the certified shorthand reporter.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/31) (from Ch. 111, par. 3281)

Sec. 31. Subpoenas, depositions, oaths.

(a) The Department has the power to subpoena documents, books, records, or other materials and to bring before it any person and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as is prescribed in civil cases in the courts of this State.

(b) The Secretary, the designated hearing officer, and every member of the Board has the power to administer oaths to witnesses at any hearing that the Department is authorized to conduct and any other oaths authorized in any Act administered by the Department.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/32) (from Ch. 111, par. 3282)

Sec. 32. Compelling testimony. Any circuit court may, upon application of the Department or designee or of the applicant or licensee against whom proceedings under this Act are pending, enter an order requiring the attendance of witnesses and their testimony, and the production of documents, papers, files, books, and records in connection with any hearing or investigation. The court may compel obedience to its order by proceedings for contempt.

(Source: P.A. 86-987.)

(225 ILCS 330/33) (from Ch. 111, par. 3283)

Sec. 33. Hearing; motion for rehearing.

(a) The Board or hearing officer appointed by the Secretary shall hear evidence in support of the formal charges and evidence produced by the licensee. At the conclusion of the hearing, the Board or hearing officer shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations. If the Board fails to present its report, the applicant or licensee may request in writing a direct appeal to the Secretary, in which case the Secretary may issue an order based upon the report of the hearing officer and the record of the proceedings or issue an order remanding the matter back to the hearing officer for additional proceedings in accordance with the order.

(b) At the conclusion of the hearing, a copy of the Board's or hearing officer's report shall be served upon the applicant or licensee, either personally or as provided in this Act for the service of the notice of hearing. Within 20 calendar days after such service, the applicant or licensee may present to the Department a motion, in writing, for a rehearing that shall specify the particular grounds for rehearing. The Department may respond to the motion for rehearing within 20 calendar days after its service on the Department. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or upon denial of a motion for rehearing, the Secretary may enter an order in accordance with the recommendations of the Board or hearing officer. If the applicant or licensee orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, the 20

calendar day period within which a motion may be filed shall commence upon delivery of the transcript to the applicant or licensee.

(c) If the Secretary disagrees in any regard with the report of the Board, the Secretary may issue an order contrary to the report. The Secretary shall notify the Board of any such deviation and shall specify with particularity the reasons for such action in the final order.

(d) Whenever the Secretary is not satisfied that substantial justice has been done, the Secretary may order a hearing by the same or another hearing officer.

(e) At any point in any investigation or disciplinary proceeding provided for in this Act, both parties may agree to a negotiated consent order. The consent order shall be final upon signature of the Secretary.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/36) (from Ch. 111, par. 3286)

Sec. 36. Hearing officer. Notwithstanding any provision in this Act, the Secretary has the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew a license or discipline a licensee. The Board may have at least one member present at any hearing conducted by the hearing officer. The hearing officer has full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Board and to the Secretary. If the Secretary disagrees in any regard with the report of the Board or hearing officer, he or she may issue an order in contravention thereof. The Secretary shall notify the Board on any such deviation and shall specify with particularity the reasons for such action in the final order.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/36.1) (from Ch. 111, par. 3286.1)

Sec. 36.1. Returned checks; fines. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or

deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, he or she shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 96-626, eff. 8-24-09.)

(225 ILCS 330/37) (from Ch. 111, par. 3287)

Sec. 37. Order or certified copy; prima facie proof. An order or certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary, shall be prima facie proof that:

- (a) the signature is the genuine signature of the Secretary;
- (b) the Secretary is duly appointed and qualified; and
- (c) the Board and the members thereof are qualified to act.

(Source: P.A. 96-626, eff. 8-24-09.)

(225 ILCS 330/38) (from Ch. 111, par. 3288)

Sec. 38. Restoration from disciplinary status.

(a) At any time after the successful completion of a term of probation, suspension, or revocation of any license under this Act, the Department may restore the license to the licensee upon the written recommendation of the Board, unless after an investigation and a hearing the Department determines that restoration is not in the public interest.

(b) Where circumstances of suspension or revocation so indicate, the Department may require an examination of the licensee before restoring his or her license.

(c) No person whose license has been revoked as authorized in this Act may apply for restoration of that license until such time as provided for in the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(d) A license that has been suspended or revoked shall be considered nonrenewed for purposes of restoration and a licensee restoring his or her license from suspension or revocation must comply with the requirements for restoration as set forth in Section 18 and any related rules adopted.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/39) (from Ch. 111, par. 3289)

Sec. 39. Surrender of license. Upon the revocation or suspension of any license, the licensee shall immediately surrender the license or licenses to the Department and if the licensee fails to do so, the Department has the right to seize the license.

(Source: P.A. 86-987.)

(225 ILCS 330/40) (from Ch. 111, par. 3290)

Sec. 40. Temporary suspension of a license. The Secretary may temporarily suspend the license of a professional land surveyor or surveyor intern without a hearing, simultaneously with the institution of proceedings for a hearing under Section 29, if the Secretary finds that evidence in his or her possession indicates that a professional land surveyor's or surveyor intern's continuation in practice would constitute an imminent danger to the public. If the Secretary temporarily suspends the license of a professional land surveyor or surveyor intern without a hearing, a hearing by the Board must be commenced within 30 days after such suspension has occurred.

(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/41) (from Ch. 111, par. 3291)

Sec. 41. Administrative review.

(a) All final administrative decisions of the Department under this Act are subject to judicial review pursuant to the Administrative Review Law and its rules. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

(b) Proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides, but if the party is not a resident of this State, the venue shall be in Sangamon County.

(c) The Department shall not be required to certify any record to the court or file any answer in court or to otherwise appear in any court in a judicial review proceeding unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department.

(d) Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action.

(e) During the pendency and hearing of any and all judicial proceedings incident to a disciplinary action the sanctions imposed upon the plaintiff by the Department shall remain in full force and effect.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/44) (from Ch. 111, par. 3294)

Sec. 44. Plats and licenses as prima facie evidence; record of plats. All plats and licenses issued by a professional land surveyor under his or her hand and seal shall be received as prima facie evidence in all courts in this State. A professional land surveyor is entitled to have his or her plats recorded in the county where the land affected lies; provided, however, plats of subdivision or dedication are subject to any statutory provisions relating to the approval, recording, and filing of plats of subdivision or dedication.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/45) (from Ch. 111, par. 3295)

Sec. 45. Entry upon adjoining land; liability for damages. A professional land surveyor, or persons under his or her direct supervision, together with his or her survey party, who, in the course of making a survey, finds it necessary to go upon the land of a party or parties other than the one for whom the survey is being made is not liable for civil or criminal trespass and is liable only for any actual damage done to the land or property.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/46) (from Ch. 111, par. 3296)

Sec. 46. Illinois Administrative Procedure Act. The Illinois Administrative Procedure Act is expressly adopted and incorporated as if all of the provisions of that Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the licensee has the right to show compliance with all lawful requirements for retention, continuation, or renewal of the license is specifically excluded. For the purpose of this Act, the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when mailed or emailed to the last known address of record.

(Source: P.A. 101-313, eff. 8-9-19.)

(225 ILCS 330/47) (from Ch. 111, par. 3297)

Sec. 47. Home rule. Pursuant to subsection (h) of Section 6 of Article VII of the Illinois Constitution, a home rule unit may not regulate the profession of land surveying in a manner more restrictive than the regulation by the State of the profession of land surveying as provided in this Act. This Section is a limitation on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 98-756, eff. 7-16-14.)

(225 ILCS 330/48) (from Ch. 111, par. 3298)

Sec. 48. Fund, appropriations, investments and audits. The moneys deposited into the Design Professionals Administration and Investigation Fund from fines and fees under this Act shall be appropriated to the Department exclusively for expenses of the Department and the Board in the administration of this Act, the Illinois Architecture Practice Act, the Professional Engineering Practice Act of 1989, and the Structural Engineering Practice Act of 1989. The expenses of the Department under this Act shall be limited to the ordinary and contingent expenses of the Design Professionals Dedicated Employees within the Department as established under Section 2105-75 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois and other expenses related to the administration and enforcement of this Act.

Moneys from the Fund may also be used for direct and allocable indirect costs related to the public purposes of the Department of Financial and Professional Regulation. Moneys in the Fund may be transferred to the Professions Indirect Cost Fund as authorized by Section 2105-300 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

Moneys in the Design Professionals Administration and Investigation Fund may be invested and reinvested with all earnings received from the investments to be deposited into the Design Professionals Administration and Investigation Fund and used for the same purposes as fees deposited into that Fund.

All fines and penalties under Sections 16 and 27 shall be deposited into the Design Professionals Administration and Investigation Fund.

Upon the completion of any audit of the Department as prescribed by the Illinois State Auditing Act that includes an audit of the Design Professionals Administration and Investigation Fund, the Department shall make the audit open to inspection by any interested person. The copy of the audit report required to be submitted to the Department by this Section is in addition to copies of audit reports required to be submitted to other State officers and agencies by Section 3-14 of the Illinois State Auditing Act.

(Source: P.A. 100-171, eff. 1-1-18; 101-313, eff. 8-9-19.)

(225 ILCS 330/49) (from Ch. 111, par. 3299)

Sec. 49. The provisions of this Act, insofar as they are the same or substantially the same as those of any prior law concerning the licensure of land surveyors, shall be construed as a continuation of such prior law and not as a new enactment.

Any existing injunction or temporary restraining order validly obtained under the Illinois Land Surveyors Act which prohibits the unlicensed practice of land surveying or prohibits or requires any other conduct in connection with the practice of land surveying, or any disciplinary action begun under the Illinois Land Surveyors Act are not invalidated by the enactment of this Act and shall continue to have full force and effect on and after the effective date of this Act. All certificates of registration and enrollments in effect on December 31, 1989 issued pursuant to the Illinois Land Surveyors Act are reinstated under this Act for the balance of the term for which last issued. All rules and regulations in effect on December 31, 1989 and promulgated pursuant to the Illinois Land Surveyors Act shall remain in full force and effect on and after the effective date of this Act without being promulgated again by the Department, except to the extent any such rule or regulation is inconsistent with any provision of this Act.

(Source: P.A. 93-467, eff. 1-1-04.)

ILLINOIS ADMINISTRATIVE CODE

TITLE 68, CHAPTER VII, SUBCHAPTER b: PART 1270 ILLINOIS PROFESSIONAL LAND SURVEYOR ACT OF 1989

Section 1270.5 Application for Enrollment as a Surveyor Intern by Acceptance of Examination

- a) An applicant who is in the senior year of an approved baccalaureate degree program as set forth in Section 1270.14, shall sit for the Fundamentals of Surveying (FS) exam as specified in Section 1270.20 and then submit the application provided by the Department of Financial and Professional Regulation-Division of Professional Regulation (Division), required fee as specified in Section 1270.52, certification of passage of the FS exam, and an official transcript showing conferral of the degree within 12 months after sitting for the exam.
- b) An applicant who is a graduate of an approved baccalaureate degree program as set forth in Section 1270.14 or a graduate of a non-approved program as set forth in Section 1270.15 shall sit for FS exam and then submit the application provided by the Division, required fee as specified in Section 1270.52, certification of passage of the FS exam, and an official transcript showing conferral of the degree.
- c) Applicants who graduated from a program outside the United States or its territories and whose first language is not English must provide the Division proof of passage of the Test of English as a Foreign Language Internet Based Test (TOEFL-iBT) with a minimum score of 26 on the speaking module and a total minimum integrated score of 88. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the program from which the applicant graduated was taught in English.
- d) Applicants who received their baccalaureate education in a foreign country other than Canada shall have the education evaluated on a course-by-course basis at their expense. Applicants shall obtain the forms from the NCEES Credentials Evaluations, 200 Verdae Boulevard, Greenville, SC 29607. The Land Surveyors

Licensing Board (the Board) will review all transcripts and the evaluation submitted to the Division to determine if the education meets the requirements set forth in this Section and Section 1270.15.

- e) Upon receipt of the application and all supporting documentation in complete order:
- 1) An applicant with a degree from an approved program will be enrolled as an Illinois Surveyor Intern.
 - 2) An applicant with a degree from a non-approved program whose education is reviewed and approved by the Board, based on the criteria specified in Section 1270.15, shall be enrolled as an Illinois Surveyor Intern.
- f) Applicants will be deferred enrollment as an Illinois Surveyor Intern if:
- 1) An applicant with a degree from an approved program as specified in Section 1270.14, sat for the FS exam during his or her senior year and who did not have the baccalaureate degree conferred within 12 months after passage of the FS exam will be required to re-take the exam in order to be enrolled as an Illinois Surveyor Intern.
 - 2) An applicant with a degree from a non-approved program whose education is reviewed and not approved by the Board, based on the criteria specified in Section 1270.15, shall be deferred enrollment as an Illinois Surveyor Intern until their education meets the requirements.
 - 3) If an applicant fails to submit all required items for enrollment under the Act within 3 years after filing an application, the application shall expire and be denied. The applicant may, however, make a new application for enrollment accompanied by the required fee, and furnish proof of meeting the qualifications for enrollment in effect at the time of new application.
(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.10 Application for Licensure as a Professional Land Surveyor by Acceptance of Examination

A license applicant shall have satisfied the education requirement as specified in Section 1270.14 or Section 1270.15, acquired the experience required by Section 1270.13 and passed the required examinations in compliance with Section 1270.20 prior to applying to the Division.

- a) A license applicant shall satisfy one of the below options when applying:

1) Applicant Enrolled as an Illinois Surveyor Intern

An applicant who is enrolled as an Illinois surveyor intern shall file an application on forms provided by the Division and shall include, in addition to the requirements of Section 10 of the Act, the required fee specified in Section 1270.52 and the following:

- A) An official copy of his or her Illinois Surveyor Intern certificate indicating prior Board approval of the baccalaureate degree and passage of the FS exam.
- B) Official certification for successful passage of the National Counsel of Examiners for Engineering and Surveying (NCEES) Principles and Practice of Land Surveying Examination and Illinois jurisdictional examination requirement as specified in Section 1270.20.
- C) Experience verification forms completed by the supervisor, indicating at least 4 years of responsible charge experience in land surveying as specified in Section 1270.13.

2) Applicant Not Enrolled as an Illinois Surveyor Intern

An applicant not enrolled as an Illinois surveyor intern shall file an application on forms provided by the Division and shall include, in addition to the requirements of Section 10 of the Act, the required fee specified in Section 1270.52 and the following:

- A) An official transcript showing conferral date for a degree from an approved program as specified in Section 1270.14 or from a non-approved program as specified in Section 1270.15.
- B) Certification of successful passage of the FS, PS and Illinois jurisdictional examinations as specified in Section 1270.20.
- C) Experience verification forms completed by the supervisor, indicating at least 4 years of responsible charge experience in land surveying as specified in Section 1270.13.

b) Applicants not enrolled as a surveyor intern in Illinois who apply after January 1, 1997, who graduated from a land surveyor program outside the United States or its territories and whose first language is not English must provide proof of passage of the Test of English as a Foreign Language Internet Based Test (TOEFL-iBT) with a minimum score of 26 on the speaking module and a total minimum integrated score of

88. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the land surveyor program from which the applicant graduated was taught in English.

c) Applicants not enrolled as a surveyor intern in Illinois who received their education in a foreign country other than Canada shall have the education evaluated on a course-by-course basis at their expense. Applicants may obtain forms from NCEES Credentials Evaluations, 200 Verdae Boulevard, Greenville, SC 29607 to evaluate educational programs. The Board will review all transcripts and the evaluation submitted to the Division to determine if the education meets the requirements set forth in this Section and Section 1270.15.

d) Upon receipt of the application and all supporting documentation in complete order:

1) The applicant's file will be presented to the Board for evaluation of the required education and experience as specified in this Section. Once the application has been reviewed, an applicant, if otherwise qualified, shall be granted a license to practice professional land surveying in this State.

2) Applicants who are reviewed by the Board and not approved, based on requirements specified in this Section, shall be deferred licensure as an Illinois professional land surveyor until the applicant meets the requirements.

3) If an applicant fails to submit all required items for licensure under the Act within 3 years after filing the application, the application shall expire and be denied. The applicant may, however, make a new application for licensure accompanied by the required fee, and furnish proof of meeting the qualifications for licensure in effect at the time of new application.

(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.13 Experience

The experience requirements set forth in Section 1270.10 shall meet the criteria described below.

a) Credit shall be given for actual experience in the practice of land surveying as defined in Section 5 of the Act.

b) Such experience shall be under the direct supervision and control of a professional land surveyor in responsible charge of land surveying operations. Direct supervision and control means the personal review by a licensed professional land surveyor of each survey, including, but not limited to, procurement, research, field

work, calculations, preparation of legal descriptions and plats. The personal review shall be of such a nature as to assure the client that the professional land surveyor or the firm for which the professional land surveyor is employed is the provider of the surveying services. (Section 4 of the Act)

c) Experience shall be in areas of land surveying practice designated in this subsection (c) or in other areas which, in the opinion of the Board, provide the applicant with knowledge of practice of land surveying at least equivalent to that which is generally acquired by experience in the areas listed. An applicant need not have experience in all areas listed in this subsection.

1) The applicant shall have not less than 25% or more than 50% of cumulative actual experience in the following areas:

A) Field procedures to perform boundary surveys of existing or proposed tracts of land;

B) Field procedures to locate or re-establish section corners that are part of the public land survey system;

C) Field procedures to perform surveys for subdivisions and condominiums.

2) The applicant shall have the remainder of cumulative actual experience in the following areas:

A) Research of records to obtain data to perform boundary surveys or obtain other required data;

B) Calculations and analyses of data to determine locations, dimensions and area of existing or proposed tracts of land;

C) Calculations and analyses of data to determine position of section corners or locations, dimensions or areas of aliquot parts of sections, all in the public land survey system;

D) Preparation of legal descriptions;

E) Preparation of plats of surveys for existing or proposed tracts of land;

F) Preparation of plats of subdivisions and/or plats of condominiums;

G) Preparation of section corner monument records;

- H) Field procedures to perform topographic surveys;
 - I) Preparation of topographic plats of surveys; and
 - J) Staking the alignments or elevation of proposed improvements.
- (Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.14 Definition of Approved Programs

a) The Division, upon the recommendation of the Land Surveyors Licensing Board (Board), shall approve a land surveying or related science program if it meets the following criteria:

- 1) The educational institution is legally recognized and authorized by the jurisdiction in which it is located to confer a baccalaureate degree in land surveying or related science.
- 2) Faculty
 - A) The faculty shall have a sufficient number of full-time, or full-time equivalent, instructors to make certain that the educational obligations to the student are fulfilled. A program at the basic level shall have no fewer than 1 full-time faculty member whose primary commitment is to that program. If an institution relies on part-time faculty members, it shall demonstrate that, in addition to the commitment of at least 1 full-time equivalent faculty member, effective mechanisms are in place to provide adequate levels of student advising and faculty interaction, and faculty control over the curriculum.
 - B) The faculty shall have demonstrated competence in their area of teaching as evidenced by appropriate degrees from professional colleges or institutions. Other evidence of faculty capability includes non-academic surveying experience, experience in teaching, ability to communicate effectively, participation in professional/scientific/other learned societies, licensure as a professional land surveyor, and an interest in students' curricular activities.
 - C) Teaching loads shall allow time for research and professional development activities. Stimulation of students' minds requires faculty involvement in scientific and technological development and in instructional innovation.
- 3) Curriculum

A) The curriculum shall include at least 4 academic years leading to the conferral of the baccalaureate degree while providing integration of the educational experience with the ability to apply the knowledge gained to the identification and solution of practical problems.

B) The overall curriculum shall include a minimum of 120 semester hours or their equivalent (e.g., 180 quarter hours) and shall include at least the following subjects:

i) Mathematics shall be satisfied by one of the below options. Courses in computer usage and/or programming shall not be used to satisfy the mathematics requirement.

- College algebra and beyond (including but not limited to, trigonometry, calculus 1, calculus 2, numerical analysis and statistics) – 15 semester hours; or

- Calculus 1 (or above) and statistics.

ii) Basic Sciences – 8 hours

Must include at least 4 hours of general chemistry and 4 hours of general physics providing a foundation of understanding of basic scientific principles.

iii) Additional Sciences – 20 hours

Additional sciences have their roots in mathematics and basic sciences but carry the knowledge toward creative application. Such subjects include, but are not limited to, geology, geography, dendrology, astronomy, biology, soil mechanics, mechanics, and engineering sciences.

iv) Land Surveying – 24 hours

Land Surveying courses provide the basis of understanding and implementing the role of land surveyor and include, but are not limited to: fundamentals of land surveying, boundary surveying, route surveying, topographic surveying, descriptions, legal aspects, subdivision design, data computations and adjustments, map projections and geometric geodemy and photogrammetry.

- C) The program shall require that the student demonstrate competency in both written and oral communication.
 - D) An understanding of ethical, social, economic and safety considerations shall be included in the land surveying program.
- 4) Facilities
- A) The laboratory facilities shall reflect the requirements of the offered educational program. The laboratory should provide for individual project work by the students and the faculty. The facilities shall be equipped with instruments and scientific equipment of a kind and quality to ensure the effective functioning of the laboratory.
 - B) The libraries in support of the land surveying program shall be both technical and nontechnical, to include books, journals and other reference material for collateral reading in connection with the instructional and research programs and professional work. The library collection shall reflect the existence of an active acquisition policy; this policy shall include specific acquisitions on the request and recommendation of the faculty of the engineering program. There shall be computer-accessible information centers and inter-library loan services for both books and journals. The library collections, whether centralized or decentralized, shall be readily available for use with the assistance of trained library staff, or through an open-stack arrangement, or both.
 - C) There shall be computer facilities accessible to the land surveying students and faculty.
- 5) The institution shall maintain permanent student records that summarize the credentials for admission, attendance, grades and other records of performance.
- b) In determining whether a baccalaureate degree program should be approved, the Division shall take into consideration but not be bound by accreditation by the Accreditation Board for Engineering and Technology (ABET).
 - c) The Division, upon the recommendation of the Board, has determined that the following domestic baccalaureate degree land surveying programs accredited by the Engineering Accreditation Commission (EAC) of ABET and/or of the Engineering Technology Accreditation Commission (ETAC) of ABET meet the minimum criteria set

forth in subsection (a) for an approved land surveying program and are, therefore, approved, subject to review. Approved Land Surveying Programs include:

- 1) Ferris State University: Surveying Engineering;
 - 2) Michigan Technological University: Surveying Engineering;
 - 3) Pennsylvania State University, Wilkes-Barre Campus: Surveying Engineering; and
 - 4) Great Basin College: Land Surveying and Geomatics
 - 5) Kennesaw State University – Geospatial Technology Land Surveying Option, BS;
 - 6) Florida Atlantic University – Geomatics Engineering, BSGE;
 - 7) Polytechnic University of Puerto Rico – Land Surveying and Mapping, BS; and
 - 8) California State Polytechnic University, Pomona – Geospatial Engineering option in Civil Engineering, BS.
- d) The Division, upon the recommendation of the Board, has determined that the following domestic related science baccalaureate degree program meets the minimum criteria set forth in subsection (a) for an approved related science program and is, therefore, approved, subject to review. Approved Related Science Programs includes Southern Illinois University - Edwardsville: Construction Management – Land Surveying Specialization.
- e) Withdrawal of Program Approval
- 1) The following are grounds for withdrawal of approval of a land surveying program or a program leading to a degree in basic technology with a land surveying specialty:
 - A) Non-compliance with any provisions of the Illinois Professional Land Surveying Act of 1989 [225 ILCS 330] (the Act);
 - B) Non-compliance with any provision of this Part;
 - C) Fraud or dishonesty in furnishing documentation for evaluation of the program; or

- D) Failure to continue to meet the criteria of an approved program as set out in this Section.
- 2) If the Board has reason to believe there has been any fraud or dishonesty in the furnishing of any documentation for the evaluation of a program on the part of any licensee, it shall refer such matter to appropriate Division personnel for any disciplinary action which might be appropriate under the Act.
- 3) A program whose approval is being reconsidered by the Division shall be given 15 days written notice prior to any recommendation by the Board and may either submit written comments or request a hearing before the Board.
- f) Evaluation of Newly Submitted Programs
- 1) An educational institution with a baccalaureate degree program that has not been evaluated will cause to be forwarded to the Division documentation concerning the criteria in this Section.
- 2) Once the Division has received the documentation or after 6 months have elapsed from the date of application, whichever is later, the Board will evaluate the program based on all documentation received from the school and any additional information the Division has received that will enable the Board to evaluate the program based on the criteria specified in this Section.
(Source: Added at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.15 Definition of a Non-Approved Program

A non-approved program shall be defined as a baccalaureate degree from an accredited college or university that includes core courses in at least the following subjects, or their equivalents, for the minimum semester hours shown. The following subjects all may be completed prior to, concurrent with, or subsequent to receiving the baccalaureate degree.

- a) Mathematics shall be satisfied by one of the below options. Courses in computer usage and/or programming shall not be used to satisfy the mathematics requirement.
- 1) College algebra and beyond (including but not limited to, trigonometry, calculus 1, calculus 2, numerical analysis and statistics) – 15 semester hours; or
- 2) Calculus 1 (or above) and statistics.

- b) Basic Sciences (Physics and/or Chemistry) – 8 semester hours. Must include at least 4 hours of general chemistry and 4 hours of general physics providing a foundation of understanding of basic scientific principles.
- c) Additional Sciences – 20 semester hours Additional Sciences have their roots in mathematics and basic sciences but carry the knowledge toward creative application. Such subjects include, but are not limited to, geology, geography, dendrology, astronomy, biology, soil mechanics, mechanics, and engineering sciences.
- d) Land Surveying courses – 24 semester hours Land Surveying courses provide the basis of understanding and implementing the role of land surveyor and include, but are not limited to: fundamentals of land surveying, boundary surveying, route surveying, topographic surveying, descriptions, legal aspects, subdivision design, data computations and adjustments, map projections and geometric geodemy and photogrammetry.
(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.20 Examinations

- a) An applicant for enrollment as a Surveyor Intern shall pass the National Council of Examiners for Engineering and Surveying (NCEES) Fundamentals of Land Surveying Examination.
- b) An applicant for licensure as a Professional Land Surveyor shall have passed the required FS examination and the following examinations:
 - 1) NCEES Principles and Practice of Land Surveying Examination; and
 - 2) Illinois Jurisdictional Examination.
- c) The scoring of the NCEES Fundamentals of Land Surveying Examination and the NCEES Principles and Practice of Land Surveying Examination and the determination of scores shall be as approved by NCEES. Separate scores shall be given for each examination and the scores shall be reported as pass/fail.
- d) The Illinois Jurisdictional Examination shall be reported as pass/fail. The Jurisdictional Examination shall include, but not be limited to, the following areas:
 - 1) History of the public land surveying system in Illinois;
 - 2) Jurisdictional Standards and Ethics (knowledge of prevailing professional standards and ethics specific to Illinois);

- 3) Jurisdictional Legal Precedent and Principles (knowledge of legal principles and requirements specific to Illinois);
 - 4) Jurisdictional Field Techniques (knowledge of field research techniques specific to Illinois); and
 - 5) Jurisdictional Record Sources (knowledge of sources of records and information specific to Illinois).
- e) Retake of Examination.
- 1) Applicants who do not pass the NCEES Fundamentals of Land Surveying Examination, the NCEES Principles and Practice of Land Surveying Examination or the Illinois Jurisdictional Examination will be required to retake only the examinations failed.
 - 2) Scores from examinations already passed under a previous application shall be carried over and applied to subsequent applications.
 - 3) Fundamentals of Surveying Examination scores do not expire, with exception as noted in Section 1270.5(f)(1).
- f) Candidates who fail an examination may not review their examination booklet or the associated answer sheets. Rescoring of the examination or any individual problem is not permitted; however, a retabulation of the numerical score will be permitted for a paper examination, but no retabulation of a computer-based examination is allowed.
- g) Examinations may be given in various formats with different application submittal dates depending on the examination format.
- 1) The Illinois Jurisdictional examination is administered in paper format on varying dates year-round as prescribed by the examination administrator.
 - 2) Examinations administered in a computer-based format. Applicants may attempt a particular NCEES exam one time per testing window and no more than three times in a 12-month period, which begins with the examinee's first attempt.
- h) If an applicant has failed an examination, the examination may not be waived for licensure.
(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.30 Endorsement

a) An applicant who is licensed or registered to practice Land Surveying as a Professional Land Surveyor under the laws of another state or territory of the United States who desires to become licensed by endorsement shall file an application with the Division together with:

- 1) Proof that the applicant has met the requirements substantially equivalent to those in force in this State for a Licensed Professional Land Surveyor at the time of original or subsequent licensure by examination in the other state or territory, including certification of education, and verification of experience as appropriate;
- 2) A certification by the state or territory of original licensure and certification from the state or territory of predominant active practice, including the following:
 - A) The time during which the applicant was licensed in that state or territory, including the date of the original issuance of the license;
 - B) The basis of licensure and a description of all examinations by which the applicant was licensed in that state or territory and the date of passage of any such examinations; and
 - C) Whether the records of the licensing authority contain any record of disciplinary action taken;
- 3) The required fee specified in Section 1270.52;
- 4) Applicants who received a license after January 1, 1997 and who received their education in a foreign country other than Canada shall have the education evaluated on a course-by-course basis at their expense. Applicants may obtain forms from the NCEES Credentials Evaluations, 200 Verdae Boulevard, Greenville, SC 29607 to evaluate educational programs. The Board will review all transcripts and the evaluation submitted to the Division to determine if the education meets the requirements set forth in this Section and Section 1270.15;
- 5) Proof of passage of the Test of English as a Foreign Language Internet Based Test (TOEFL-iBT) with a minimum score of 26 on the speaking module and a total minimum integrated score of 88 for applicants who were licensed after January 1, 1997, who graduated from a land surveyor program outside the United States or its territories and whose first language is not English. In order

to determine applicants whose first language is English, the applicant shall submit verification from the school that the land surveyor program from which the applicant graduated was taught in English.

- b) An applicant for licensure under this Section may be required to appear before the Board for an oral interview if the Division has questions about the applicant's application, because of discrepancies or conflicts in information, information needing further clarification and/or missing information.
- c) Applicants for licensure on the basis of endorsement shall successfully complete the Illinois Jurisdictional Examination as set forth in Section 1270.20.
- d) The Division shall examine each endorsement application to determine whether the requirements in the state or territory of original licensure were substantially equivalent to the requirements then in force in the State of Illinois. The Division shall either issue a license by endorsement to the applicant or notify the applicant in writing of the reason for the deferral or denial of the application.
- e) If an applicant fails to submit all required items for licensure under the Act within 3 years after filing an application, the application shall expire and be denied. The applicant may, however, make a new application for licensure accompanied by the required fee, and furnish proof of meeting the qualifications for licensure in effect at the time of new application.

(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.35 Inactive Status

- a) Any Licensed Professional Land Surveyor who notifies the Division in writing, on forms prescribed by the Division, may elect to place his or her license on inactive status and shall be excused from the payment of renewal fees until he or she notifies the Division in writing of his or her desire to resume active status.
- b) Any licensee seeking restoration from inactive status shall do so in accordance with Section 1270.40 of this Part.
- c) Any Licensed Professional Land Surveyor whose license is on inactive status shall not practice land surveying in the State of Illinois. Practicing or offering to practice on a license which is on inactive status shall be grounds for discipline under Section 27 of the Act.
- d) Inactive status is not available for a Professional Design Firm.

(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.40 Restoration

a) A licensee seeking restoration of a license that has expired for less than 5 years shall have the license restored upon application, on forms provided by the Division, payment of the fee specified by Section 1270.52 and proof of 20 professional development hours completed in accordance with Section 1270.65 within 2 years prior to the date of submitting the restoration application.

b) A licensee seeking restoration of a license that has been placed on inactive status for less than 5 years shall have his or her license restored upon payment of the current renewal fee specified by Section 1270.52 and proof of 20 professional development hours completed in accordance with Section 1270.65 within 2 years prior to the date of submitting the restoration application.

c) A licensee seeking restoration of a license after it has expired or been placed on inactive status for more than 5 years shall file an application, on forms supplied by the Division, for review by the Division, together with proof of successful completion of 20 professional development hours completed in accordance with Section 1270.65 within 2 years prior to the date of submitting the restoration application and the fee specified by Section 1270.52. The licensee shall also submit one of the following:

- 1) Certification of active practice for at least the last 2 years in another jurisdiction. The certification shall include a statement from the appropriate board or licensing authority in the jurisdiction that the licensee was authorized to practice during the term of the active practice;
- 2) An affidavit attesting to military service as provided in Section 16 of the Act;
- 3) Proof of passage of the Illinois Jurisdictional Examination and/or the NCEES examination within one year after application; or
- 4) Other evidence of continued competence in land surveying. Evidence shall be satisfied by one of the following:
 - A) Employment in a responsible capacity by a licensed land surveyor, for at least the last 2 years, as determined by the Board;
 - B) Lawfully practicing land surveying as an employee of a governmental agency; or
 - C) Teaching land surveying courses in a college or university or other educational programs.

- d) Any person restoring a license within 2 years after discharge from military service pursuant to Section 16 of the Act will be required to pay only the current renewal fee.
- e) A certification attesting the applicant has read and understands the Act and this Part.
- f) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Division because of discrepancies or conflicts in information, information needing further clarification, or missing information, the licensee seeking restoration of his or her license shall be required to provide the necessary information and, if requested to do so:
- 1) Explain the relevance or sufficiency during an oral interview; and/or
 - 2) Appear for an oral interview before the Board when the information available to the Board is insufficient to evaluate the individual's current competency to practice under the Act. Upon the recommendation of the Board, and approval by the Director of the Division with the authority delegated by the Secretary (Director), an applicant shall have his or her license restored or shall be notified in writing of the reason for the denial of the application for restoration.
- g) A professional design firm seeking restoration of a license that has expired for any length of time shall have the license restored upon payment of the restoration fee as specified in Section 1270.52 plus any lapsed renewal fee required by Section 1270.50 and submitting proof of the following:
- 1) Certificate of Good Standing from the Illinois Secretary of State or a copy of the letter or certificate received from the county clerk where an assumed name has been filed.
 - 2) Proof that the managing agent-in-charge is still a full-time employee or a resolution appointing a new managing agent.
 - 3) Listing of all offices in Illinois and the name and license number of the resident Land Surveyor for each location.
- (Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.45 Professional Design Firm

- a) Persons who desire to practice land surveying in the State of Illinois in the form of a corporation, professional service corporation, partnership, professional limited

liability company, limited liability company or limited liability partnership or sole proprietorship (if the sole proprietorship is conducting or transacting business under an assumed name in accordance with the Assumed Business Name Act [805 ILCS 405]) pursuant to Section 25 of the Act, shall file an application with the Division on forms provided by the Division, together with the following:

- 1) For Corporations or Professional Service Corporations. Registration as a professional design firm shall meet the registration requirements of Section 12 of the Professional Service Corporation Act [805 ILCS 10/12].
 - A) The name of the corporation and its registered address, the names of all members of the board of directors and officers, and the name of the state and license number for each director who is a licensed design professional.
 - B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. If it is a foreign corporation, a copy of the certificate of authority to transact business in the State of Illinois issued by the Secretary of State is also required. The purpose clause of the Articles of Incorporation or the certificate of authority shall designate that the corporation is authorized to provide land surveying services. Each corporation shall remain active and in good standing with the Secretary of State in order to maintain a professional design firm registration.
 - C) A signed and dated resolution of the board of directors of the corporation designating a regular full-time employee of the corporation who is an Illinois licensed land surveyor as the managing agent in charge of the land surveying activities in Illinois. The Illinois license number of the land surveyor designated as the managing agent shall also be included in the resolution.
 - D) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the corporation, if applicable.
 - E) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.
- 2) For Partnerships

A) General

- i) A copy of the signed and dated partnership agreement authorizing the partnership to provide land surveying services. The partnership agreement shall contain the name of the partnership, its business address and the names of all partners. The name of the state in which each partner is licensed as a design professional and the license number shall be listed on the application.
- ii) A signed and dated resolution adopted by the general partners designating a regular full-time employee of the partnership who is an Illinois licensed land surveyor as the managing agent in charge of the land surveying activities in this State. The Illinois license number of the land surveyor designated as the managing agent shall also be included in the resolution.
- iii) A copy of the partnership documentation bearing the stamp of the county clerk where the partnership has been filed.
- iv) A letter or certificate from the county clerk where an assumed name has been filed, if applicable.

B) Limited Partnership

- i) A copy of the signed and dated partnership agreement indicating that it has been filed with the Secretary of State authorizing the partnership to provide land surveying services. The partnership agreement shall contain the name of the partnership, its business address and the names of all partners. The name of the state in which each partner is licensed as a design professional and the license number shall be listed on the application.
- ii) A signed and dated resolution adopted by the partners designating a full-time employee of the partnership who is an Illinois licensed land surveyor in this State as the managing agent in charge of land surveying activities. The Illinois license number of the land surveyor designated as the managing agent shall also be included in the resolution.
- iii) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.

- iv) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the partnership, if applicable.
- 3) For Professional Limited Liability Companies, Limited Liability Companies or Limited Liability Partnerships
 - A) An application containing the name of the Professional Limited Liability Companies, limited liability company or partnership, the business address and the members/partners of the company/partnership, the name of the state and the license number of each member/partner licensed as a design professional.
 - B) A signed and dated resolution of the members or partners designating a full-time employee who is an Illinois licensed land surveyor as the managing agent in charge of the land surveying activities in this State. The Illinois license number of the managing agent shall also be included in the resolution.
 - C) A copy of the operating agreement or partnership agreement filed with the Secretary of State stating the company or partnership is authorized to offer land surveying services.
 - D) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.
 - E) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the limited liability company or partnership, if applicable.
- 4) For Sole Proprietorships with an Assumed Name
 - A) An application containing the name of the sole proprietorship and its business address and the name and Illinois license number of the land surveyor who owns and operates the business.
 - B) A letter or certificate received from the county clerk where an assumed name has been filed.
- 5) A list of all Illinois office locations at which the corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership, partnership or sole proprietorship provides land surveying services. Any professional services corporation, sole proprietorship, or

professional design firm offering land surveying services must have a resident land surveyor overseeing the land surveying practices in each Illinois location in which land surveying services are provided. (Section 25(h) of the Act) A resident professional land surveyor shall be assigned to supervise land surveying operations in only one Illinois office. Each resident professional land surveyor shall conduct his or her daily business in his or her assigned office or field locations.

- 6) The fee required in Section 1270.52.
- b) A professional design firm may designate more than one managing agent in charge of land surveying activities. However, a licensee designated as the managing agent may not serve as a managing agent for more than one corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership, or partnership doing business in Illinois.
- c) Upon receipt of the above documents and review of the application, the Division shall issue a registration authorizing the corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership, partnership or sole proprietorship to engage in the practice of land surveying or notify the applicant in writing of the reason for the denial of the application.
- d) Each corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership, partnership or sole proprietorship with an assumed name shall be responsible for notifying the Division in writing within 30 days after any changes in:
 - 1) The membership of the board of directors, members/partners of the limited liability company/partnership or the general partners;
 - 2) The licensure status of any of the general partners, members/partners of the limited liability company/partnership or any of the licensed design professional members of the board of directors; and
 - 3) An assumed name.
- e) Each corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership or partnership shall be responsible for notifying the Division in writing, by certified mail, within 10 business days after the termination or change in status of the managing agent. Thereafter, the corporation, professional service corporation, Professional Limited Liability Companies, limited

liability company/partnership or partnership, if it has so informed the Division, has 30 days to notify the Division of the name and license number of the land surveyor licensed in Illinois who is the newly designated managing agent.

f) Any failure to notify the Division as required in subsections (d) and (e) or any failure of the corporation, professional service corporation, limited liability company/partnership or partnership to continue to comply with the requirements of Section 25 of the Act will subject the corporation, limited liability company/partnership or partnership to the loss of its registration to practice land surveying in Illinois.

g) Sole Proprietorships. Any sole proprietorship owned and operated by a land surveyor who has an active Illinois license is exempt from the registration requirement of a professional design firm. However, if the sole proprietorship operates under an assumed name, the sole proprietorship shall file an application in accordance with subsection (a)(4). Any sole proprietorship not owned and operated by an Illinois licensed land surveyor shall be prohibited from offering land surveying services to the public.

h) In addition to the seal requirements in Section 15 of the Act, all documents or technical submissions prepared by the professional design firm shall contain the professional design firm registration number issued by the Division.

(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.50 Renewals

a) Every license as a Professional Land Surveyor issued under the Act shall expire on November 30 of each even numbered year. The holder of a license may renew that license during the month preceding the expiration date thereof by paying the fee specified in Section 1270.52 and meeting the professional development requirements set forth in Section 1270.65.

b) It is the responsibility of each licensee to notify the Division in writing of any change of address. Failure to receive a renewal notice from the Division shall not constitute an excuse for failure to pay the renewal fee and to renew one's license.

c) Every license issued to a professional design firm under the Act shall expire on April 30 of each odd-numbered year. The holder of a license may renew that license for a 2-year period during the month preceding the expiration date thereof by paying the fee specified in Section 1270.52 and certifying that the firm is in good standing with the Secretary of State, if applicable.

d) Practicing or offering to practice on a license that has expired or been placed on inactive status shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 27 of the Act.

e) It is the responsibility of each licensee to notify the Division of any discipline or conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof, or that is a misdemeanor, an essential element of which is dishonesty, or any crime that is directly related to the practice of the profession of land surveying since the last renewal. (Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.52 Fees

The following fees shall be paid to the Department and are not refundable:

a) Application Fees.

1) The fee for application for a license as a professional land surveyor is \$150. In addition, applicants for an examination shall be required to pay, either to the Department or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

2) The application fee for a license as a surveyor intern is \$70.

3) The application fee for a certificate of registration as a professional design firm is \$75.

b) Renewal Fees.

1) The fee for the renewal of a license shall be \$30 per year.

2) The fee for renewal of a certificate of registration as a professional design firm is \$75 for the renewal period (see Section 1270.50(d)).

c) General Fees.

1) The fee for the restoration of a license other than from inactive status is \$50 plus payment of all lapsed renewal fees.

- 2) There is no charge for the issuance of a replacement license for a license that has been lost or destroyed, or for issuance of a license with a change of name or address. Licenses are available electronically through the Department website.
 - 3) The fee for a certification of a licensee's record for any purpose is \$20.
- d) All of the fees collected pursuant to this Section shall be deposited in the Design Professionals Administration and Investigation Fund.
(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.55 Land Surveyor Complaint Committee

- a) The Land Surveyor Complaint Committee of the Land Surveyors Licensing Board authorized by Sections 8 and 29 of the Act shall be composed of 2 members of the Land Surveyors Licensing Board, a Supervisor over Design Investigations and Chief of Prosecutions over Design Prosecutions. The Director of Enforcement shall designate the Supervisor and Chief assigned to the Complaint Committee.
- b) The Complaint Committee shall meet at least once every 2 months to exercise its functions and duties set forth in subsection (c). The Complaint Committee may meet concurrently with the Complaint Committees of the Architecture Licensing Board, the State Board of Professional Engineers and the Structural Engineering Board to discuss interrelated professional matters. The Complaint Committee shall make every effort to consider expeditiously and take prompt action on each item on its agenda.
- c) The Complaint Committee shall have the following duties and functions:
 - 1) To review investigative case files after an initial inquiry into the involved parties and their licensure status have been obtained. "Case file" means the allegation made against an involved party that resulted in a preliminary inquiry and other information being obtained in order to determine whether an investigation should be initiated or prosecution pursued. A "Formal Complaint" means the notice of allegations and charges or basis for licensure denial which begins the formal proceedings.
 - 2) To refer the case file to the Supervisor over the Design Investigators for further action. The Complaint Committee shall give the Supervisor an indication as to the prosecutorial merit and relative severity of the allegations to aid in the prioritization of investigative activity.
 - 3) To recommend that a case file be closed.

- 4) To recommend that an Administrative Warning Letter be issued and the case file closed.
 - 5) To refer the case file to Prosecutions for review and action.
 - 6) To report the actions of the Complaint Committee at each Board meeting and to present enforcement statistics such as the type of alleged violation.
- d) In determining what action to take or whether to proceed with investigation and prosecution of a case file, the Complaint Committee shall consider the following factors, but not be limited to: the effect on the public's health, safety and welfare; the sufficiency of the evidence presented; prosecutorial merit; and sufficient cooperation from complaining parties.
- e) At any time after referral to Prosecutions, the Division may enter into negotiations to resolve issues informally by way of a Consent Order. Factors to be considered in deciding whether to enter into settlement negotiations shall include, but not be limited to: the effect on the public's health, safety and welfare caused by the respondent's alleged conduct; sufficient investigation of the case; prosecutorial merit; relative severity of the respondent's alleged conduct; and past practices of the Division.
- f) No file shall be closed nor Formal Complaint dismissed except upon recommendation of the Complaint Committee and/or approval by the Land Surveyors Licensing Board. Those case files that previously have been before the Board and are the subject of a Consent Order or Formal Order of the Director may be closed without further recommendation or approval of the Land Surveyors Licensing Board or the Complaint Committee.
- g) Disqualification of a Land Surveyors Licensing Board member.
- 1) A Board member shall be recused from consideration of a case file or Formal Complaint when the Board member determines that a conflict of interest or prejudice would prevent that Board member from being fair and impartial.
 - 2) Participation in the initial stages of the handling of a case file, including participation on the Complaint Committee and in informal conferences, shall not bar a Board member from future participation or decision making relating to that case file.
- h) An informal conference is the procedure established by the Division that may be used for compliance review, fact finding, discussion of the issues, resolving case

files, licensing issues or conflicts prior to initiating any Formal Complaint or formal hearing. An informal conference may only be conducted upon agreement of both parties. Informal conferences shall be conducted by a Division attorney and shall include members of the Board. Board members shall be scheduled for informal conferences on a rotating basis.

(Source: Amended at 31 Ill. Reg. 1832, effective January 8, 2007)

Section 1270.56 Minimum Standards of Practice

The minimum standards of practice set forth in this Section are intended to provide protection for the public by insuring that surveying and mapping services defined in this Section are completed in accordance with prevailing professional practices and current technological methods, and to provide a means by which professional performance of the individual practitioner can be assessed. These standards are to be binding upon every person and firm practicing land surveying in the State of Illinois, except where differing federal, State or local laws, ordinances or rules may be more stringent, or when special conditions exist that effectively prevent the survey from meeting these minimum standards. When special conditions exist any necessary deviations from the standards shall be noted on the plat or map. It shall be a violation of this Part to use special conditions to circumvent the intent and purpose of the minimum standards. Any of the professional services set forth in this Section are greatly influenced by the evaluation of recorded information and field observations, and all those services shall be accomplished in compliance with these standards to ensure that they are located, described and platted in a professional manner. All terms used in these Minimum Standards of Practice shall be interpreted to agree with the definitions of those terms in the most current publication of Black's Law Dictionary, Definitions of Surveying and Associated Terms published by the National Society of Professional Surveyors (NSPS) and the American Society of Civil Engineers (ASCE), and Glossary of the Mapping Sciences published by American Society for Photogrammetry and Remote Sensing (ASPRS), NSPS and the ASCE.

a) ALTA/NSPS Land Title Survey

1) An ALTA/NSPS land title survey is a specialized survey that meets the specific needs peculiar to title insurance purposes, to enable title insurance companies to insure title to land without exceptions as to survey matters.

2) All land title surveys shall be subject to the "2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys", published jointly by the American Land Title Association (ALTA), 1828 L. St., N.W., Suite 705, Washington, D.C. 20036 and the National Society of Professional Surveyors

(NSPS), 6 Montgomery Village Avenue, Suite #403, Gaithersburg MD 20879. This incorporation does not include any later amendments or editions.

3) All ALTA/NSPS land title surveys are to be performed to the current ALTA/NSPS Minimum Standard Detail Requirements. It is incumbent upon the licensed professional land surveyor to discuss with the client additional or optional requirements to be provided.

b) Boundary Survey

1) A boundary survey is a land survey that requires study, investigation and evaluation of major factors affecting and influencing the location of boundary lines and that culminates in the deliberate location or relocation of the corners, perimeters, division lines or boundaries of a certain lot, parcel or quantity of real estate, according to the record title description of the parcel or parent tract, facts and evidence found in the course of performing the research and fieldwork, and in accordance with appropriate boundary law principles. The record title description should be furnished by the client, unless otherwise jointly agreed upon by the client and surveyor.

2) The purpose of a boundary survey is to establish or retrace the boundary lines and corners of the surveyed property, and to define and identify those lines so as to uniquely locate each lot, parcel or other specific land area in relation to well recognized and established points of reference, adjoining properties, and rights of way.

3) When a client desires only a portion of their 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.

4) A boundary survey shall include, but not be limited to, the following:

A) Gathering and evaluating the best available evidence indicating where the boundary lines being retraced have become established on the ground.

B) Clear and legible field notes containing all pertinent information, measurements and observations made in the course of the field survey.

C) Unless requested otherwise by the client or his/her agent, a plat of survey.

- D) A legal description for any parcel surveyed.
 - E) Monuments or witness points shall be set for all accessible corners of the survey except when in the opinion of the Professional Land Surveyor, corner monuments would be destroyed by development, re-development construction, grading or utility construction. In this case, monumentation may be delayed until construction or grading is completed and must be in place within 12 months of the date of field work of the last survey.
- 5) Information Research Required. Sufficient information to perform the survey shall be either furnished by the client and/or his/her agent or obtained by the surveyor by agreement with the client. The following appropriate factors must be evaluated by the surveyor:
- A) A property description describing the subject parcel. If, in the opinion of the surveyor, the description furnished or obtained is insufficient to fully define the extent or location of the parcel to be surveyed due to ambiguity or calls for adjoining deeds, prior recorded survey plats, etc., it is the duty of the client (unless agreed upon otherwise) to furnish the additional information requested by the surveyor. This is not to be construed to indicate that the surveyor has an obligation to research the title of record.
 - B) A reproduction of the recorded subdivision plat that created the subject lot, block or parcel.
 - C) A reproduction of the Government Township Plat and pertinent Monument Records if the survey is of a section or aliquot part of a section.
 - D) Relevant data provided by the client regarding special circumstances, such as unrecorded easements, judgements or Court decrees that may influence the location of boundaries of the survey.
 - E) Except, however, if the documents identified in subsections (b)(5)(A) through (D) are not provided to the surveyor, the surveyor shall as a minimum, consult deeds and other documents, including those for adjacent parcels, in order to assemble the best possible set of written evidence of every corner and line of the property being surveyed.

- 6) Boundary Analysis and Resolution – the boundary lines and corners of any property being surveyed shall be established and/or retraced in accordance with appropriate boundary law principles governed by the set of facts and evidence found in the course of performing the research and fieldwork.
- 7) Positional Accuracy – the relative positional accuracy for boundary surveys shall be in accordance with the most current model standards for property surveys as published by the National Society of Professional Surveyors (NSPS).
- 8) Monuments. Monuments set or called for, whether artificial or natural, bear witness to the footsteps of a surveyor and his/her professional opinion as to the proper marking of a desired position. Monumentation for public land survey systems corners shall be in accordance with the Land Survey Monuments Act [765 ILCS 220]. The following shall be considered acceptable types of artificial monuments for all other corners:
 - A) Types
 - i) Iron bars or rods shall be a minimum of ½" in diameter by 24" in length. Iron pipes shall be a minimum of ½" in diameter by 24" in length, with a minimum wall thickness of ⅛" and be detectable with conventional instruments for finding ferrous or magnetic objects. Where rocky soils prevent specified lengths, the bar, rod or pipe should be driven to refusal at depths where it will remain stable.
 - ii) Concrete monuments shall be a minimum size of 5" in diameter by 24" in length, or 4" square by 24" in length, and shall have a precise corner mark and shall be reinforced by at least a ¼" re-bar or ½" or larger iron pipe.
 - iii) Stone monuments shall be a minimum size of 4" square by 24" in length and shall have a precise corner mark.
 - iv) Commercial cast iron or aluminum survey markers no less than 24" in length. Non-ferrous markers shall have ceramic magnets attached to aid in recovery.
 - v) Other monuments, such as drill holes, chiseled marks in stone, concrete or steel, punch marks, precast bronze discs, nails or spikes, etc., shall be of sufficient size, diameter or depth to be definitive, stable and

readily identified as a survey marker. Objects upon which the marks or markers are placed shall be of a stable and permanent nature.

B) Requirements

i) When it is physically impossible or impractical to set a monument at the corner, a witness corner or corners will be set, or noted if existing witness corners are found. Witness corners shall be referenced to the survey corner or survey lines.

ii) Monuments must be set to a sufficient depth so as to retain a stable and distinctive location. Material and size for monuments shall be chosen in regard to the terrain and situation that exists at the site of the survey. All monuments shall be set vertically whenever possible.

9) Plats. On all boundary surveys the completed plat shall be drawn on a stable and durable medium with a minimum size of 8½" by 11" and shall contain the following:

A) Firm name, address and registration number.

B) Professional land surveyor seal, signature, date of signing, and license expiration date. The licensee may provide, at his or her sole discretion, an original signature in the licensee's handwriting, a scanned copy of the document bearing an original signature, or a signature generated by a computer.

C) Client's name.

D) North arrow.

E) Scale-written or graphic.

F) Date of completion of field work.

G) Legal description of the property.

H) Legend for all symbols and abbreviations used on the plat.

I) Monuments or witness corners, whether set or found, intended to represent or reference corners of the survey, shall be shown and described as to size, shape and material, and their positions noted in relation to the survey corners.

- J) Sufficient angles, bearings or azimuths, linear dimensions and curve data must be shown on the plat to provide a mathematically closed figure for the exterior of the survey. Where record angular dimensions, bearings or azimuths, linear dimensions or curve data exist, such data shall be shown on the plat and distinguished from measured dimensions or data. Area of the survey is to be shown on the face of the plat unless otherwise requested by the client.
 - K) Where bearing, azimuth or coordinate systems are used, the basis or proper names of the system shall be noted on the plat.
 - L) If the survey is a parcel in a recorded subdivision, any adjacent rights of way or easements and setback lines shown on the recorded plat that affect the subject parcel shall be shown and dimensioned.
 - M) The character and location of evidence of possession or occupation along the perimeter of the surveyed property and by adjoining, observed in the process of conducting the fieldwork.
 - N) Show visible evidence of improvements, rights of way, easements, or use when requested by the client.
 - O) Exculpatory statements that attempt to restrict the uses of boundary surveys shall not be affixed to any plat.
 - P) The following statement shall be placed near the professional land surveyor seal and signature: "This professional service conforms to the current Illinois minimum standards for a boundary survey."
- 10) Field Procedures. All field work shall be performed by a professional land surveyor or a person under his/her direct control and supervision in accordance with accepted methods of surveying theory, practice and procedures. It is the responsibility of the professional land surveyor to ensure conformance with the following specific requirements:
- A) All surveying instruments shall be kept in proper adjustment and calibration.
 - B) All corners or monuments called for in the information provided or obtained under subsection (b)(4) that affect the location of the boundaries of the land to be surveyed shall be physically searched for in a methodical and meticulous fashion. Each corner or monument recovered shall be

evaluated as to its agreement by description and location with the information in subsection (b)(4).

C) Other evidence that could influence the location of the lines or corners of the survey shall be located and evaluated.

D) When the survey is of an aliquot or divisional part of a larger tract, sufficient field work must be performed to ensure that the existence of excess or deficiency, if any, in the parent tract can be determined and distributed by the professional judgment of the surveyor.

E) All field data, including electronic field notes, shall be retained in a legible and orderly fashion that will be understandable to other surveyors.

11) It shall be the responsibility of each professional land surveyor to monitor his/her work and that of those working under his/her supervision, so that the methods used to perform the survey and produce the plat and/or report will be of such quality that the accuracy, precision and positional tolerance of the final product delivered to his/her client will equal or exceed the "Positional Accuracy" requirements stated in subsection (b)(7) and that which would be provided by another competent surveyor under similar circumstances.

c) Condominium Surveys. Condominium surveys are a specialized class of boundary surveys and are governed by the Condominium Property Act [765 ILCS 605]. The plat requirements referred to in Section 5 of that Act must be the result of actual field measurements and are not to be transcribed from plans or other informational materials. The exterior boundaries of a condominium parcel shall be monumented as required by the Plat Act [765 ILCS 205]. Notes on the condominium plat must indicate whether the interior measurements shown are referring to finished or unfinished surfaces or planes and what data was used for any elevations depicted on the plat.

d) Subdivision Surveys

1) Subdivision surveys include subdivision plats, re-subdivision plats, consolidation plats, and planned unit development (PUD) plats when used to subdivide land; all of which are governed by and prepared in accordance with local subdivision control ordinances, governmental regulations and the Illinois Plat Act [765 ILCS 205]. A subdivision survey requires the retracement of the boundary of the parent tract by the subdividing surveyor and becomes an original survey upon the creation of new land parcels, blocks or "lots". Monumentation for subdivision surveys is mandatory according to the statute.

All exterior corners of the subdivision shall be monumented prior to recordation of the subdivision plat. If, in the opinion of the subdividing surveyor, a disproportionate number of interior monuments would be destroyed by grading, utility installation, etc., monumentation of the interior corners may be delayed unless local regulations or ordinances specify otherwise. Interior corners of the subdivision shall be monumented prior to the conveyance of any lot, block, parcel or unit within the subdivision and in all cases the monumentation shall be in place within 12 months after the recording date of the subdivision plat. All of the interior corners subject to delayed staking shall be denoted on the record plat as "to be set", either by labeling or appropriate symbols or notations. Upon completion of the monumentation the subdividing surveyor shall file an affidavit with the Recorder of the county in which the subdivision is located certifying that the monumentation of the subdivision has been completed. The affidavit shall include the name of the subdivision, date of plat recording and recording location information (book and page and/or document number).

2) Vertical subdivisions, i.e., subdivisions that divide property by horizontal, vertical, and oblique planes, require that all exterior boundary corners of the subdivision be monumented at its ground elevation prior to recordation of the subdivision plat. The physical features, if any, controlling the limits of the subdivided property must be defined on the subdivision plat. The datum used to control the dividing horizontal planes must be defined on the subdivision plat together with the benchmark used to determine the elevations of these planes. The interior corners or any lot or block corners other than those that are required for monumenting the exterior boundary corners do not require monumentation.

e) Mortgage Inspection. A Mortgage Inspection does not approach the standards of other survey categories, though by the provisions of Section 5 of the Illinois Professional Land Survey Act of 1989 [225 ILCS 330/5] the services of an Illinois Professional Land Surveyor are required. A mortgage inspection is not a type of boundary survey or ALTA/ACSM survey and does not constitute a boundary survey of the subject real property. A mortgage inspection includes field investigation, measurements and graphic representation of improvements.

1) Purpose. The mortgage inspection is intended for use by a mortgage lender and/or title insurer and is only a professional opinion of the relationship of improvements with respect to the deed lines and the existence, location and type of building on the property, the intent of which is to assist in the determination of the property's suitability to serve as collateral for a mortgage. It is not an

opinion as to deed, title or platted lines. It is not to be used in matters of boundary disputes, legal actions between landowners, or for construction purposes. No new legal descriptions can be created from a mortgage inspection.

2) Product. A complete mortgage inspection will produce a drawing entitled "Mortgage Inspection" and, if required, a written report of the surveyor's findings and determinations.

3) Information

A) The following information shall be furnished by the client and/or his/her agent:

- i) Legal description and address for the tract of land.
- ii) Copy of commitment of title insurance for the tract of land, if possible.

B) The following information shall be obtained by the surveyor:

- i) Copy of recorded subdivision plats (if applicable).
- ii) Recorded section corner tie monuments and original government surveys (if applicable).
- iii) Other necessary surveying information.

4) Monuments. No monuments shall be set.

5) Tolerances. Tolerances cannot be mandated for a mortgage inspection since the very nature of recovering deed lines and other information for that purpose precludes a rigid adherence to any standard value.

6) Field Procedures. The following procedures should generally be considered as minimum, but deviations as dictated by specific conditions shall be allowed:

A) Preliminary search and recovery of existing monument evidence.

B) Field location of tract through measurement from some controlling locations, such as: street intersection, subdivision corner, section corners, etc., sufficient to eliminate the possibility of gross error in location of the premises.

- C) Through field measurements, locate and dimension relevant improvements.
 - D) If evidence of deed lines does not exist, the surveyor is obligated to refuse to perform a mortgage inspection until satisfactory evidence is obtained, either through a boundary survey or a land title survey.
 - E) If evidence exists of the possibility that the improvements on the subject property or adjoining property are on or very near the apparent deed lines, the surveyor is obligated to note his/her findings and recommend that a boundary survey or land title survey be performed.
- 7) Drawing
- A) Minimum size: 8½" x 11".
 - B) The drawing shall be entitled:

MORTGAGE INSPECTION

THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY

(The above two lines shall be of the same letter size and shall be twice the letter size of all other lettering on the drawing.)

- C) A North arrow, scale of drawing, date and drawing legend shall be included.
- D) Building dimensions and type of structure shall be shown.
- E) Boundary dimensions shown shall be based on the public record or description provided; field measurements do not need to be shown.
- F) No dimensional ties from structures or other improvements to apparent deed lines are required.
- G) The legal description of the tract shall be given on the face of the drawing.
- H) Use of the word "survey" in the title, or any implication in a certification that this drawing represents a "survey", is prohibited.

I) Professional land surveyor seal, signature, date of signing, and license expiration date. The licensee may provide, at his or her sole discretion, an original signature in the licensee's handwriting, a scanned copy of the document bearing an original signature, or a signature generated by a computer.

J) Address of the tract.

K) No found corner, boundary line or other survey monumentation shall be shown on the drawing.

L) Preceding the legal description and in the same size letters as the legal description the following statement shall appear:

"This mortgage inspection and drawing is not a boundary survey or plat of survey. This mortgage inspection was prepared to assist the mortgage company and title insurance company and is not to be used for any purposes of boundary disputes, location of actual deed, title or platted lines, or for construction of new improvements. Graphic representation shall be deemed approximate and no reliance should be placed on the scale of the drawing."

M) The following statement shall be placed immediately above the signature of the surveyor and in the same size letters as the legal description:

"This professional service conforms to the current Illinois minimum standards of practice for a mortgage inspection and is not a boundary survey."

f) Topographic Surveying and Mapping

1) A topographic survey or topographic map is a delineation of horizontal and/or vertical locations of the existing natural or man-made features of a portion of the earth's surface, subsurface or airspace and the graphic representation of the results of the delineation. Topographic survey and map are defined as below:

A) Topographic Survey

A topographic survey made using accepted terrestrial or GPS surveying methods or using indirect surveying methods such as photogrammetry, light detection and ranging (LIDAR) or unmanned aerial vehicles (UAVs or

drones) performed in conjunction with a boundary survey or ALTA/NSPS Land Title Survey depicting land boundaries shall be entitled "Boundary and Topographic Survey" or "ALTA/NSPS Land Title and Topographic Survey", and shall be subject to the current minimum standards established for the ALTA/NSPS Land Title Surveys or Boundary Surveys by this Part, except where differing federal, State or local laws, ordinances or rules may be more stringent.

B) Topographic Map

When topography is acquired using accepted terrestrial or GPS surveying methods, or using indirect surveying methods such as photogrammetry, light detection and ranging (LIDAR) or unmanned aerial vehicles (UAVs or drones) and is not performed in conjunction with a boundary survey or ALTA/NSPS Land Title Survey; boundary lines and boundary data shall be shown as needed/or as deemed necessary by the surveyor. The source of the land boundary information along with the statement that "this professional service does not constitute a boundary survey" shall be shown on the topographic map and placed near the surveyor's certificate and seal.

i) When the position and/or extent of a topographic map is not defined by land boundaries, enough information must be shown on the survey to enable the client to locate the topographic map on the ground.

ii) A licensed professional engineer knowledgeable in topographical mapping may perform a topographic map specific to his/her design project. A licensed professional engineer may not, however, offer topographic mapping services independent of his/her specific design project.

2) Positional Accuracy

The horizontal and vertical positional accuracies for topographic surveys and topographic maps shall be in accordance with the most current model standards for topographic surveys or topographic maps as published by the National Society of Professional Surveyors (NSPS).

3) Information Research Required. Sufficient information to perform the topographic survey or topographic map shall be furnished by the client or his/her

agent or obtained by the surveyor by agreement with the client. The following appropriate factors must be evaluated by the surveyor.

- A) A specific description of the survey site, along with designated areas outside the actual survey site where topographic information is required.
 - B) The location, description, datum and elevation of all benchmarks to be used for the survey. The datum should be based on a nationally accepted datum whenever practical, unless instructed otherwise by the client or as mandated by a governmental organization having jurisdiction in the area the survey is located.
 - C) The location and description of all horizontal control points to be used for the survey.
 - D) If contour lines are required by the client, the contour interval should be agreed upon by the surveyor and client.
 - E) Location and elevations of utilities is often an important part of a topographic survey. The surveyor and client shall agree which utilities are to be located and what information on each utility is to be shown.
- 4) Field Requirements
- A) All surveying instruments shall be kept in proper adjustment and calibration.
 - B) The surveyor may apply procedures that most efficiently meet the requirements of the client without sacrificing the accuracy of the acquired information.
 - C) All field data, including electronic field notes, shall be retained by the professional land surveyor in a legible and orderly fashion that will be understandable to other surveyors.
- 5) Plats. On all topographic surveys and topographic maps, the completed plat shall be drawn on a stable and durable medium with a minimum size of 8½" by 11" and shall contain the following:
- A) Firm name, address and registration number.

- B) Professional land surveyor seal, signature, date of signing, and license expiration date.
- C) "This professional service conforms to the current Illinois minimum standards for a topographic survey or topographic map." This statement shall be placed near the professional land surveyor seal and signature.
- D) Client's name.
- E) North arrow.
- F) Date of completion of field work.
- G) Scale as agreed upon by surveyor and client.
- H) Location and elevation of any reference benchmarks or site benchmarks at or near the survey shall be shown, and the datum noted.
- I) Legend for all symbols and abbreviations used on the plat.
- J) If elevation points are to be shown, such elevations shall be shown to the nearest one-hundredth of a foot on hard surfaces and to the nearest tenth of a foot elsewhere, unless requested otherwise by the client.
- K) Location and description of horizontal control points used in the survey, which shall be noted and shall be shown on the plat as requested by the client.
- L) The location of permanent structures, including buildings, retaining walls, bridges, culverts, street or road paving and sidewalks as requested by the client.
- M) Existing contour lines indicating the relief of the entire parcel, unless required otherwise by the client. Elevation points may be shown at locations requested by the client.
- N) Location and water surface elevations of lakes, rivers, streams and drainage courses on or near the surveyed parcel, and direction of flow if any as requested by the client.
- O) If topographic information is to be delivered via electronic media, a suitable format shall be agreed upon with the client. In every case, the surveyor shall also provide a signed and sealed hard copy drawing or

representation of the survey. This drawing shall be the official survey and shall be deemed to be correct and superior to the electronic data.

g) **Minimum Standards for Writing Parcel Legal Descriptions.** A description defining land boundaries written for conveyance or describing the extent of a survey or for other purposes shall be complete, providing definite and unequivocal identification of the property lines or boundaries of a unique parcel. The description shall be sufficient to be platted, located on the ground and, when appropriate, mathematically closed. The description shall commence at or relate to a physically monumented corner or boundary control line of record.

1) If the land is located in a recorded subdivision, the description shall contain the number or other description of the lot, block or other part of the subdivision, or shall describe the parcel by reference to a known corner of the lot, block or other recorded reference.

2) If the parcel is not located within a recorded subdivision, the description shall state the section, township, range, principal meridian and county, and shall describe the parcel by reference to quarter section, quarter-quarter section, government lot, or metes and bounds, beginning/commencing at a physically monumented corner and if possible, referencing an established and monumented line in the United States Public Land Survey System.

3) In any case, when a new description is created or a previous description is rewritten, enough of the original description should be maintained so as to form a trail or chain to honor the calls of the existing parcel description.

4) A description written for other purposes that do not define land boundaries for land conveyances, or describe the extent of a survey, such as descriptions written for leases, easements, zoning, annexation or political boundaries, are not required to relate to a physically monumented corner.
(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.57 Standards of Professional Conduct

To safeguard the health, safety, and welfare of the public and to maintain integrity and high standards of skill and practice of professional land surveying, the following standards of professional conduct shall be binding on every licensee and on all Professional Design Firms authorized to offer or perform professional land surveying services in Illinois.

a) Licensee's Obligation

- 1) Licensees shall be cognizant that their first and foremost responsibility is to safeguard the health, safety, and welfare of the public when performing services for clients and employers.
 - 2) Licensees shall sign and seal only those plans, surveys and other documents that conform to accepted professional land surveying standards and that safeguard the health, safety, and welfare of the public.
 - 3) Licensees shall notify their employer or client and such other authority as may be appropriate when their professional judgment is overruled when the health, safety, or welfare of the public endangered.
 - 4) Licensees shall, to the best of their knowledge, include all relevant and pertinent information in an objective and truthful manner within all professional documents, statements, and testimony.
 - 5) Licensees shall express a professional opinion publicly only when it is founded upon an adequate knowledge of the facts and a competent evaluation of the subject matter.
 - 6) Licensees shall issue no statements, criticisms, or arguments on professional land surveying matters that are inspired or paid for by interest parties, unless they explicitly identify the interest parties on whose behalf they are speaking and reveal any interest they have in the matters.
 - 7) Licensees shall not partner, practice, or offer to practice with any person or firm that they know is engaged in fraudulent or dishonest business or professional practices.
 - 8) Licensees who have knowledge or reason to believe that any person or firm has violated any rules or laws applying to the practice of professional land surveying shall report it to the Division, may report it to appropriate legal authorities, and shall cooperate with the Division and those authorities as requested.
 - 9) Licensees shall not knowingly provide false or incomplete information regarding an applicant in obtaining licensure.
 - 10) Licensees shall comply with the licensing laws and rules governing professional land surveying profession in each of the jurisdictions in which they practice.
- b) Licensee's Obligation to Employer and Clients

- 1) Licensees shall undertake assignments only when qualified by education or experience in the specific technical field of professional land surveying involved.
- 2) Licensees shall not affix their signatures or seals to any plans, specifications, or other documents dealing with subject matter in which they lack competence, nor to any such plans, specifications, or other documents not prepared under their direct supervisory control.
- 3) Licensees may accept assignments and assume responsibility for coordination of an assignment outside of their field of competence if each technical segment is signed and sealed by the licensee responsible for preparation of that technical segment.
- 4) Licensees shall not reveal facts, data, or information obtained in a professional capacity without the prior consent of the client, employer, or public body on which they serve except as authorized or required by law or rules.
- 5) Licensees shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties in connection with work for employers or clients.
- 6) Licensees shall disclose to their employers or clients all known or potential conflicts of interest or other circumstances that could influence or appear to influence their judgment or the quality of their professional service or engagement.
- 7) Licensees shall not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to in writing by all interested parties.
- 8) Licensees shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their organization serves as a member. Conversely, licensees serving as members, advisors, or employees of a government body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services offered or provided by said concern to the governmental body that they serve.

- 9) Licensees shall not use confidential information received in the course of their assignments as a means of making personal profit without the consent of the party from whom the information was obtained.
- c) Licensee's Obligation to Other Licensees
- 1) Licensees shall not falsify or permit misrepresentations of their, or their firm's professional qualifications. They shall not misrepresent or exaggerate their degree of responsibility in prior assignments nor the complexity of said assignments. Presentations incidental to the solicitation of employment or business shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments.
 - 2) Licensees shall not offer, give, solicit, or receive, either directly or indirectly, any commission, or gift, or other valuable consideration in order to secure work, and shall not make any political contribution with the intent to influence the award of a contract by public authority.
 - 3) Licensees shall not injure or attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other licensees, nor indiscriminately criticize other licensees' work.
 - 4) Licensees shall make a reasonable effort to inform another licensee whose work is believed to contain a material discrepancy, error, or omission that may impact the health, safety, or welfare of the public, unless such reporting is legally prohibited.
- (Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.58 Seal and Signature Requirements

- a) Every individual professional land surveyor shall have a reproducible seal or facsimile, which may be computer generated, the impression of which shall contain the name of the land surveyor, his or her place of business, the license number of the professional land surveyor, and the words "Professional Land Surveyor, State of Illinois". A professional land surveyor shall seal all documents prepared by or under the direct supervision and control of the professional land surveyor. Any seal on a plat of survey, which bears the name of a professional design firm, rather than bearing the name of the individual licensed professional land surveyor responsible for the survey, shall be deemed an invalid seal. The individual licensee's written signature and date of signing, along with the date of license expiration, shall be placed adjacent to the seal. The licensee may provide, at his or her sole discretion, an original signature in the

licensee's handwriting, a scanned copy of the document bearing an original signature, or a signature generated by a computer.

b) It is unlawful to affix one's seal to documents if doing so masks the true identity of the person who actually exercised direction, control and supervision of the preparation of that work. A Professional Land Surveyor who seals and signs documents is not responsible for damage caused by subsequent changes to or uses of those documents when the subsequent changes or uses, including changes or uses made by State or local government agencies, are not authorized or approved by the Professional Land Surveyor who originally sealed and signed the documents.

c) All technical submissions issued by a land surveying firm, corporation, limited liability company, professional limited liability company, or partnership are required to bear the corporate or assumed business name and design firm registration number, in addition to the seal requirements.

d) A suggested facsimile of the design and lettering of the seal is found in Section 1270.ILLUSTRATION A.

(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.59 Certificate of Correction

The purpose of a certificate of correction is for the surveyor of record to correct errors or omissions found on any map, plat, exhibit or document prepared by him/her, that identifies legal lines or land title lines of the United States rectangular survey system or any subdivision thereof, which has been signed and certified by them and is of public record.

a) Only the surveyor that signed and sealed the original recorded map, plat, exhibit or document can file a certificate of correction to amend their erroneous data or scrivener's errors.

b) A certificate of correction will clearly state the name or title and recording information of the map, plat, exhibit or document and identify the specific errors and/or omissions to be corrected.

c) The certificate of correction shall be signed and sealed by the surveyor of the original map, plat, exhibit or document to be corrected.

d) A certificate of correction shall not be used to move, modify, vacate, dedicate, alter or create easements, roadways or setback lines; add or detract lots or land; relocate platted boundary or lot lines, or in any way affect the rights or interests of third parties that were created by the original document.

e) The certificate of correction shall be recorded in the same county or counties as the original map, plat, exhibit or document was recorded.

(Source: Added at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.60 Granting Variances

The Director may grant variances from this Part in individual cases when he or she finds that:

- a) the provision from which the variance is granted is not statutorily mandated;
- b) no party will be injured by the granting of the variance; and
- c) the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.65 Professional Development

The professional development (PD) required as a condition for license renewal under the Illinois Professional Land Surveyor Act is set forth in this Section. All land surveyors shall meet these requirements.

a) Professional Development Hours Requirements

1) Beginning with the November 30, 2006, renewal and every renewal thereafter, in order to renew a license as a land surveyor, a licensee shall be required to complete 20 professional development hours (PDHs) relevant to the practice of land surveying or be exempt from the professional development requirements as provided in subsection (h). All 20 PDHs may be earned through online programs or courses. Failure to comply with these requirements may result in non-renewal of the land surveyor's license or other disciplinary action, or both. The professional development hours shall be in the following categories:

A) A minimum of 4 hours of programs, courses or activities in the area of State of Illinois statutes and rules that regulate professional land surveyors and surveys.

B) A minimum of 2 hours of programs, courses or activities in the area of professional conduct.

C) A minimum of 14 hours of programs, courses or activities in the area of land surveying or related sciences.

- 2) Beginning with the November 30, 2020 renewal and every renewal thereafter, the total professional development hours shall include 1 hour of sexual harassment prevention training which shall meet the requirements of Section 1130.400 of the Civil Administrative Code. A licensee completing a course on sexual harassment prevention developed or offered by the Illinois Department of Human Rights [775 ILCS 5], the licensee's employer or an acceptable provider listed within this Section, may count that course toward the 1-hour requirement under this Section.
 - 3) A pre-renewal period is the 24 months preceding November of each even-numbered year.
 - 4) One professional development hour shall equal 50 minutes of instruction or participation. If a program is taken that awards continuing education units (CEU) rather than professional development hours, one continuing education unit equals 10 professional development hours of class in an approved continuing education course.
 - 5) Land surveyors licensed in Illinois but residing and practicing in other states shall comply with the PDH requirements set forth in this Section.
 - 6) Professional development units used to satisfy the PDH requirements of another jurisdiction may be applied to fulfill the PDH requirements of the State of Illinois if they are substantially equivalent.
- b) Professional development activities shall include, but not be limited to:
- 1) Successful completion of a college or university course in the area of land surveying, related sciences and surveying ethics. One semester credit hour of course work is equivalent to 15 PDHs and one quarter credit hour of course work is equivalent to 10 PDHs;
 - 2) Successful completion of land surveying courses or programs offering professional development hours, including those offered online. Credit will be given for self-study courses only if an examination has been completed by the licensee and graded by the sponsor;
 - 3) Active participation and successful completion of land surveying programs, seminars, tutorials, workshops, short courses or in-house courses;
 - 4) Attending program presentations at related technical or professional meetings;

- 5) Teaching or Instructing. Teaching or instructing a land surveying course, seminar, lecture, presentation or workshop shall constitute 3 PDH hours for each hour spent in the actual presentation. Teaching credit shall be valid for the initial presentation only. Teaching credit shall not apply to faculty teaching regularly scheduled curriculum courses at a college, university, or other educational institution;
- 6) Authoring papers or articles that appear in nationally circulated journals or trade magazines. Credit is earned in the biennium of publication. A maximum of 5 PDHs per renewal are allowed for this activity.
- 7) Active participation on a professional land surveyor board, committee or holding an office in a professional or technical society.
 - A) Two PDHs will be awarded per committee membership or office held.
 - B) A maximum of 8 PDHs may be accepted per pre-renewal period.
 - c) All programs or courses shall:
 - 1) Contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the licensee in the practice of land surveying;
 - 2) Foster the enhancement of general or specialized practices and values of land surveying;
 - 3) Be developed and presented by persons with education and/or experience in the subject matter of the program; and
 - 4) Specify the course objectives and course content.
 - d) Auditing or Restoration
 - 1) It shall be the responsibility of a licensee to maintain a record of PDHs for 6 years that includes one of the following:
 - A) Documentation consisting of the following items:
 - i) The name and address of the sponsor or provider;

- ii) A brief statement of the subject matter, printed program schedules, registration receipts or other proof of participation;
 - iii) Certificate of attendance;
 - iv) The number of PDHs attended in each program; and
 - v) The date and place of the program; or
 - B) Transcripts or records of professional development hours maintained by an acceptable provider as set forth in subsection (e).
 - 2) A log of activities by itself shall not be accepted as meeting the requirements of this subsection.
- e) Acceptable providers for structured educational activities shall include, but not be limited to:
- 1) Illinois Professional Land Surveyor Association;
 - 2) National Council of Examiners for Engineering and Surveying (NCEES);
 - 3) National Society of Professional Land Surveyors;
 - 4) American Society of Civil Engineers (ASCE);
 - 5) Colleges, universities or other educational institutions;
 - 6) Technical or professional societies or organizations relating to professional land surveying.
- f) The Division shall not pre-approve individual courses or programs.
- g) Certification of Compliance with PD Requirements
- 1) Each renewal applicant shall certify, on the renewal application, full compliance with the professional development requirements set forth in this Section.
 - 2) The Division may require additional evidence demonstrating compliance with the PD requirements (e.g., certificate of attendance). This additional evidence shall be required in the context of the Division's random audit. It is the

responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.

3) When there appears to be a lack of compliance with PD requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100].

4) The Division may conduct random audits to verify compliance with professional development requirements.

h) Waiver of PDH Requirements: A licensee may be exempt from the foregoing professional development requirements if one of the following situations occurs. If an exemption is claimed, it is required that the renewal fee and any documentation needed to support the exemption be submitted for renewal of a license. Waiver requests must be made before the end of the renewal period. Waiver requests sent after the end of the renewal period shall not be considered.

1) A licensee shall not be required to report continuing education hours during the first biennial renewal period in which the licensee obtained initial licensure in Illinois, but shall be subject to the continuing education requirements for all subsequent biennial renewal periods.

2) A licensee who is on full-time active duty in the military service of the United States, or is a licensee who is called to temporary active duty in the military service or Armed Forces of the United States for a period of time exceeding 120 consecutive days during the renewal period, when that activity or location restricts participation in a continuing education program.

3) A licensee who demonstrates to the satisfaction of the Division that meeting these requirements would be an undue hardship by reason of disability, illness, or other clearly mitigating circumstances shall submit supporting documentation.

A) The documentation shall be in the form of a sworn statement by the licensee, statement from a physician, or medical record showing the disability, illness, or circumstance preventing the licensee's participation in the continuing education program during a substantial part of the renewal period.

- B) If the Division finds from the evidence that good cause has been shown for non-compliance, the Division may waive enforcement, extend the time within which the applicant shall comply, or establish a particular program or schedule of continuing education for the renewal period in which the undue hardship existed.
- C) Consecutive waiver requests made for reasons of disability, illness, or other circumstances may be prima facie evidence for non-renewal of applicant's license based on inability to actively engage in licensed practice.
- 4) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section, shall be deemed to be in good standing until the final decision on the application is made by the Division.
- (Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270.APPENDIX A Rules for the Perpetuation of Monuments Under the Land Survey Monuments Act

- a) The Land Survey Monuments Act [765 ILCS 220] requires a licensed land surveyor to record a monument record when he/she conducts a survey that uses as a control corner any public land survey monument, or when he/she establishes, re-establishes, restores or rehabilitates any public land survey monument, except when there exists a monument record and the monument is found as described in the record. All licensed land surveyors who conduct surveys pursuant to the Land Survey Monuments Act shall comply with standards set forth in this Section. Violation of the Land Survey Monuments Act shall be considered a Class A misdemeanor pursuant to Section 11 of the Act.
- b) Every section corner and quarter section corner is a public land survey monument. The monumentation of other points resulting from the subdivision of a section is not a requirement of the Act. Only when a public land survey monument is used for making a survey is recording of a monument record a requirement of the Act. The licensed land surveyor may utilize information from previous surveys providing it is sufficient to locate, establish or re-establish the public land survey monument and is adequate for preparing the monument record.
- c) A monument record means a written and illustrated document describing the physical appearance of a survey monument and its accessories. The monument record shall be presented and recorded in accordance with the following specifications:

- 1) It shall have an overall width of 8½ inches and an overall length of 11 inches.
 - 2) It shall have a clear one-half inch border on the top, bottom and both sides.
 - 3) A 3" x 5" block in the upper right corner shall be reserved for the use of the County Recorder of Deeds.
 - 4) Paper on which the form is printed shall have a minimum rag content of 25 percent and shall be 20 pound weight.
 - 5) The height of lettering or typing shall be one tenth of an inch and shall have a clarity suitable for microfilming and reproducing. A maximum of 4 sheets may be used as one document.
 - 6) There shall be no more than 4 monuments shown on each record and all monuments must be for a common section.
 - 7) The surveyor may show geodetic position or other information at his/her option, providing it does not detract from the clarity of the requirements of the monument record.
 - 8) The drawing shall be orientated with North at the top of the form.
 - 9) The monument record shall be recorded at the time of recording the survey if the survey is placed on record, but in no case more than 40 days after the survey is completed.
 - 10) Each monument record shall describe at least 3 accessories or reference points.
 - 11) All monument records shall be signed by a licensed land surveyor or by the chief of a survey party in an agency of the United States government.
- d) It is recommended that, in addition to the monument record requirements set forth above, additional data to add to the monument record to aid in future recovery may include the following:
- 1) the company's job number of the survey project;
 - 2) the date the survey plat was completed;
 - 3) the name of the firm, surveyor's name and field book with page number;

- 4) distances and bearings to the nearest quarter or section corner monument;
 - 5) general location of ties (i.e., in ditch line, 5' east of edge of pavement, etc.);
 - 6) the amount of cover, if any, over the monument;
 - 7) the proper or government township name;
 - 8) that distances are slope or horizontal;
 - 9) any known history of the monument (e.g., the monument was shown on a plat of survey by Super Surveyors, Inc., dated August 16, 1937, and recorded in Surveyors Book 2, page 29, in the County Recorder's Office).
- e) The Land Survey Monuments Act states that a monument shall be in such a physical condition that it remains as permanent a monument as is reasonably possible and, if practical, the Illinois license number of the land surveyor who records the monument record shall be affixed securely to the top of the monument at the public land survey corner. When it is not practical to affix the land surveyor's Illinois license number on the monument, the number may be affixed to one of the reference points.
- f) As a minimum the monument must be a standard weight steel pipe, one-half inch diameter, 30 inches long or a solid steel rod one-half inch diameter, 30 inches long.
- g) Should the monument fall on a concrete surface, a survey marker permanently anchored into the concrete is acceptable. Should a stone be found and the size is such to make it reasonably permanent, it should remain and ferrous material be placed over or adjacent to the monument to facilitate its recovery.
- h) Pursuant to Section 3.04 of the Land Survey Monuments Act, "accessory" is defined as any physical evidence in the vicinity of a survey monument or position thereof, the relative position of which is of public record and which is used to perpetuate the location of the monument.... Ties are considered accessories.
- 1) If monument record ties are found to have a questionable future, make an effort to establish permanent ties and file a new monument record.
 - 2) In an area void of nearby physical tie points, resort to angular ties such as building corners, the centers or faces of chimneys, steeples, water towers or other structures.

- 3) A description of a tie point shall be as specific as possible and may include such things as:
 - A) The exact location on a right of way marker or other square shaped tie, such as apex, northeast corner or center of east face at ground level;
 - B) Chiseled cross on northwest cap bolt of hydrant;
 - C) Back of concrete curb at joint of radius return;
 - D) Chiseled cross on south side of rim on sanitary sewer manhole;
 - E) Southwest corner of concrete foundation; or
 - F) Punch mark on top of west end of 15 inch corrugated metal pipe culvert.
- i) Other considerations when conducting a survey to establish a monument record:
 - 1) Lower the monument if it appears to be in danger of being destroyed due to grading, road improvement, cultivation, etc.
 - 2) Make an attempt to contact adjoining property owners to ascertain if the monument is generally recognized and accepted to be the corner in question.
 - 3) Make an attempt to show the adjoining property owners, road commissioner or highway official the location of the monument and supply them with a copy of the monument record for future use.
 - 4) Maintain respect for private property. Do not paint or put nails in or survey ribbon on private property without permission.
- j) The Division is cognizant of the long range public benefit derived by the perpetuation of the public land survey monuments. The Act has no provision that would exempt a particular type of survey from complying with the Act if a public land survey monument is used. Therefore, strict adherence is a legal requirement.
(Source: Amended at 31 Ill. Reg. 1832, effective January 8, 2007)

Section 1270.APPENDIX B: Significant Dates for the Administration of the Act

- a) May 10, 1901. An Act to provide for the permanent survey of lands. Repealed July 8, 1957.
- b) July 21, 1937. An Act entitled "An Act to provide for the registration of land surveyors" was filed. This Act was repealed in 1939.
- c) July 29, 1939. The Illinois Land Surveyors Act was enacted. The requirements for examination were: 21 years of age, citizen of the US, good moral character, graduated from a high school or secondary school, has 5 years' experience. The examinations were state-constructed and given by the Department of Registration and Education. Partnerships regulated. Committee of Examiners established. Surveyors in other States may be licensed if requirements are substantially equal to the requirements in this State.
- d) July 16, 1963. Act amended to allow temporary permit: no more than one project and does not exceed in the aggregate more than 30 days in any calendar year. Experience granted for each one-fourth of the total hours of academic credit required for the awarding of a baccalaureate degree in civil engineering by an accredited engineering college shall be considered as equivalent to one year of Land Surveying experience; provided that undergraduate academic credit shall not be accepted in lieu of more than 3 years of Land Surveying experience when such credit does not result in the granting of a baccalaureate degree in civil engineering. Committee of Examiners increased from three to five members with new members appointed as of September 1, 1963.
- e) April 27, 1967. Examinations will consist of questions in the following area relating to land surveying: (a) The statutes of the United States and the State of Illinois as they relate to land surveying, (b) The subdivision of land and (c) Practical surveying and the mathematics of land surveying. The applicant must make an average grade of not less than 75 percent with no grade below 60 to successfully complete the examination. Applicants for registration through reciprocity must appear before the Examining Committee and submit evidence of his qualifications. Discrimination: It is unprofessional and unethical conduct on the part of a registrant who refuses to render land surveyor services to a person solely on account of that person's race, color, creed, or national origin.
- f) August 7, 1969. Minimum age for licensure was increased to 25 years of age with a total of 8 years of experience and 4 years of responsible charge. Adds

corporations to be regulated that offer land surveying. The portion of examination taken to be enrolled as a Land Surveyor in Training is waived when taking the portion of the Registered Land Surveyor examination.

- g) August 14, 1980. Time limit established by Act: A Certificate of Registered Land Surveyor in Training is valid for 10 years and may not be renewed.
- h) July 21, 1982. The creation of the Design Professionals Administration and Investigation Fund. Effective July 1, 1985, all fees collected will be deposited in the Design Professionals Administration and Investigation Fund and no longer into the General Revenue Fund.
- i) January 1, 1982. Effective January 1, 1986, such experience in responsible charge must be subsequent to receiving a certificate of registration as a Registered Land Surveyor in Training. Responsible charge of land surveying operations under this Act means the direct control and supervision of such operations but subject to overall supervision of a Registered Land Surveyor. Qualifications for examination for registered land surveyor in training: (1) A baccalaureate degree in Land Surveying from an accredited college or university, or (2) A Bachelor of Science degree from an accredited college or university and 2 years of land surveying experience, or (3) An Associate degree in Land Surveying Technology from an accredited junior college and 3 years land surveying experience, or (4) An Associate degree in Engineering Technology from an accredited junior college and 4 years land surveying experience, or (5) A high school diploma or its equivalent and 8 years land surveying experience.
- j) January 1, 1984. Inactive status and restoration established. The temporary permit for Land Surveying was repealed by P.A. 83-1017.
- k) April 1984. Illinois first administered the NCEE Fundamentals of Surveying, a 4-hour examination (FLS) for enrollment as a LSIT, and the NCEE Principles and Practice of Surveying, a 4-hour examination (PLS 1) for licensure. This replaces the State constructed examinations.
- l) August 10, 1984. Five references are required for either the LSIT or Registered Land Surveyor. Establishment of the requirement to take the Illinois Jurisdictional Examination in addition to the NCEE exams.
- m) October 1986. NCEE changed the PLS 1 (4-hour exam) to the PLS 2a (3-hour exam) with an additional 1-hour Public Domain portion. The Illinois Jurisdictional Examination was 1-hour.
- n) January 6, 1987. Definitions of Related Sciences

- 1) A baccalaureate degree in a Related Science is a four-year curriculum that includes core courses in at least the following subjects for the noted semester hours or their equivalent:
 - A) Mathematics (beyond trigonometry) – 15 hours.
 - B) Basic Sciences (physics, chemistry, geology) – 15 hours.
 - C) Additional Sciences – 15 hours.
- 2) An associate degree in a Related Science is a two-year curriculum that includes core courses in at least the following subjects for the noted semester hours or their equivalent:
 - A) Mathematics (beyond trigonometry) – 3-6 hours.
 - B) Basic Sciences (physics, chemistry, geology) – 4-6 hours.
 - C) Additional Sciences – 4-6 hours.
- o) January 8, 1987. Applicants for licensure on the basis of reciprocity must hold a valid certificate of Registration as a Land Surveyor issued under the laws of another jurisdiction and must provide proof satisfactory to the Department that they met the requirements equivalent to those in force in Illinois at the time of his licensure by examination, including certification of education, affidavits of experience, certification by the jurisdiction of the original licensure date and descriptions of examinations; those who qualify shall write the Illinois Jurisdictional Examination. Candidates from another jurisdiction for whom the Examining Committee has questions shall appear for an oral interview. All other candidates will be reviewed upon the documents submitted. The requirement for all applicants by reciprocity to appear for an oral interview was eliminated.
- p) January 1, 1989. The Act was sunsetted and revised and may be cited as the Illinois Professional Land Surveyor Act of 1989. The Examining Committee was reestablished as the Land Surveyor Examining Board consisting of 7 members appointed by the Director, one of which is a public member, the others Professional Land Surveyors, all residents of Illinois. Requirements for licensure as a Land Surveyor were 1) applied in writing, 2) citizen of the US, 3) good moral character, 4) has acquired an Illinois license as a Land Surveyor-in-Training, 5) has at least 4 years of experience subsequent to licensure as a LSIT verified by a Professional Land Surveyor in responsible charge of land surveying operations and then, 6) passes an examination authorized by the Department to determine his fitness as a Professional Land Surveyor

(PLS and Illinois Jurisdictional exams). Experience is required to be completed after passage of the FS and prior to submitting an application for approval to sit for the PS and Jurisdictional examination. The requirements for enrollment by examination for Land Surveyor-in-Training: (1) A baccalaureate degree in Land Surveying from an accredited college or university, or (2) A Bachelor of Science degree from an accredited college or university and 2 years of land surveying experience, or (3) An Associate degree in Land Surveying Technology from an accredited junior college and 3 years land surveying experience, or (4) An Associate degree in Engineering Technology from an accredited junior college and 4 years land surveying experience or (5) A high school diploma or its equivalent and 8 years land surveying experience. Deadlines for submitting the completed applications (either for the FS or the PS exams) were established as December 15 for the spring examination and June 15 for the fall examination.

q) January 1, 1989. The Act specified that as of January 1, 1998, an applicant must have a baccalaureate degree in land surveying from an accredited college or university, or a baccalaureate degree in a related science including at least 24 semester hours of land surveying courses from a Board approved curriculum of an accredited institution, to be eligible for licensing as a Land Surveyor-in-Training.

r) January 1, 1989. Endorsement of licensure replaces reciprocity. Requirements are based upon those extant in Illinois at the time of original licensure (education, experience and examinations) and passing the Illinois Jurisdictional examination.

s) January 1, 1989. The Act specified that the seal of the Professional Land Surveyor will contain the name of the land surveyor, his place of business, the license number, and the words "Professional Land Surveyor, State of Illinois".

t) April 2, 1991. Definitions of Related Sciences

1) A baccalaureate degree in a Related Science is a four-year curriculum that includes core courses in at least the following subjects for the noted semester hours or their equivalent:

- A) Mathematics (beyond trigonometry) – 15 hours.
- B) Basic Sciences (physics, chemistry, geology) – 15 hours.
- C) Additional Sciences – 15 hours.

- 2) An associate degree in a Related Science is a two-year curriculum that includes core courses in at least the following subjects for the noted semester hours or their equivalent:
- A) Mathematics (beyond trigonometry) – 3 hours.
 - B) Basic Sciences (physics, chemistry, geology) – 4 hours.
 - C) Additional Sciences – 4 hours.
- u) April 2, 1991. Examination requirements: 1) NCEES Fundamentals of Land Surveying Examination (for enrollment as a LSIT), 2) NCEES Principles and Practice of Land Surveying Examination, 3) NCEES Public Domain (Jurisdictional Principles and Practice) examination and 4) Illinois Jurisdictional Examination.
- v) April 2, 1991. Section 1270.35 Inactive Status was added to the administrative rules allowing a Licensed Professional Land Surveyor with an active license to place his license on inactive status.
- w) April 2, 1991. Reciprocity replaced by “Endorsement” which requires all applicants from another jurisdiction to have met the education, experience and examinations (State constructed or NCEES examinations) required in Illinois at the time of original licensure and to pass the Illinois Jurisdictional Examination in order to be licensed.
- x) October 1992. NCEES changed the PLS 2a exam to the PLS (6-hour exam) and eliminated the Public Domain examination.
- y) April 5, 1994. Experience defined in the administrative rules consisting of two-thirds to be either A) locating land boundaries and land boundary corners including the following services: i) Researching public and private records; ii) Relocation lost or obliterated corners, iii) Establishing, reestablishing or perpetuating survey monuments; iv) Subdividing sections; v) Establishing or retracing property lines to determine length and bearing; vi) Reestablishing obliterated property lines; vii) Preparing descriptions of real property from data acquired by field measurements; viii) Conducting resurveys; and ix) Writing and interpreting land descriptions, and B) Preparing maps including, i) Maps of sections or portions of sections or townships as established by the original public land survey and subdivisions of those sections in accordance with the manuals of surveying instructions by the federal government and the State of Illinois; ii) Subdivision plans prepared in accordance with the Illinois statutes or local ordinances; iii) Certified survey maps prepared in accordance with the Illinois statutes or local ordinances; iv) Maps showing other divisions of land not controlled by statute or

ordinance; and v) Official plats or maps of land in this State. No more than one-third of a Surveyor-in-Training applicant's experience may be acquired in A) Drafting highway and railroad rights-of-way plans; B) Construction staking for highways, roads, streets or similar projects within the boundaries of established rights of way; C) Performing topographical surveys; D) Developing control networks for aerial photography unless property lines are used for control; and E) Performing new building layout or construction surveys or other design related surveys.

z) November 15, 1995. Section 1270.55 establishing the Land Surveyor Complaint Committee was added to the administrative rules.

aa) April 3, 1996. Section 1270.APPENDIX A Rules for the Perpetuation of Monuments under the Land Survey Monuments Act was added to the administrative rules.

ab) August 1, 1996. Act required: Any professional services corporation, sole proprietorship, or professional land surveying firm offering land surveying services must have a resident land surveyor overseeing the land surveying practices in each location in which land surveying services are provided.

ac) August 2, 1996. The requirements for evaluation of foreign degree were established in the Act. The requirement for the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE) were established in the Act. Effective January 1, 1997, TOEFL with a score of 550 and TSE with a score of 50 were required by rule. Dates for completed application to the Department for review by Board were established as November 15 for the spring examination and May 15 for the fall examination.

ad) January 1, 1998. As of this date, all applicants applying for the LSIT must have either: (1) a baccalaureate degree in Land Surveying from an accredited college or university; or (2) a baccalaureate degree in a related science including at least 24 semester hours of land surveying courses from a Board approved curriculum of an accredited institution. Applicants who were approved prior to this date for the LSIT would not be required to have the education reviewed unless they did not apply for and acquire licensure before the LSIT expired (valid only for 10 years). Anyone who re-applied for the FS must meet the new education requirements.

ae) December 31, 1999. Section 1270.52 Fees was added to the administrative rules and taken out of the Act.

af) January 1, 2000. The name was changed from the land Surveyor Examining Board to the Land Surveyor Licensing Board. The Act eliminated the requirements that the managing agent for a Professional Design Firm be one of the officers/members/partners and that a majority of the officers/members/partners be licensed land surveyors. The Act still required the managing agent to be a full-time employee.

ag) January 1, 2000. Continuing education was added to the Act: the Department may promulgate rules of continuing education for persons licensed under this Act.

ah) November 20, 2000. Section 1270.56 Minimum Standards of Practice was added to the administrative rules.

ai) November 20, 2000. Section 1270.57 Standards of Professional Conduct was added to the administrative rules.

aj) March 1, 2001. Section 1270.15 – Definition of Related Science – education requirements reduced to:

A baccalaureate degree in a Related Science is a four-year curriculum that includes core courses in at least the following subjects for the noted semester hours or their equivalent:

- 1) Mathematics (college algebra and beyond) – 15 hours.
- 2) Basic Sciences (physics and/or chemistry) – 8 hours.
- 3) Additional Basic Sciences (including, but not limited to: geology, geography, dendrology, astronomy, biology, soil mechanics, and engineering sciences) – 20 hours.

ak) July 2, 2002. Section 1270.85 Professional Development was added to the rules. The professional development required as a condition for license renewal under the Illinois Professional Land Surveyor Act: All Land Surveyors shall meet these requirements beginning with the November 30, 2004 renewal and every renewal thereafter, in order to renew a license as a land surveyor, a licensee shall be required to complete 20 professional development hours (PDH) relevant to the practice of land surveying. Failure to comply with these requirements may result in non-renewal of the land surveyor's license or other disciplinary action, or both.

al) November 10, 2004. Section 1270.85 amended to specify that hours be in the following categories:

- 1) A minimum of 4 hours of programs, courses or activities in the area of State of Illinois statutes and rules that regulate professional land surveyors and surveys.
- 2) A minimum of 2 hours of programs, courses or activities in the area of professional conduct.
- 3) A minimum of 14 hours of programs, courses, or activities in the area of land surveying or related sciences.
- 4) No more than half (10) of the hours may be obtained from on-line, distance learning or video courses; however, the 4 hours required in subsection (a)(1)(A) may not be obtained in this manner.

am) August 29, 2009. Act was amended to allow an applicant to sit for the Fundamentals of Surveying and be enrolled as an LSIT meeting one of the following: 1) Accredited Land Surveying baccalaureate degree, 2) baccalaureate degree in Related Science with at least 24 semester hours of land surveying courses, 3) an Associate of Science degree in surveying or a related sciences with at least 24 semester hours of land surveying courses and at least 2 years of experience or 4) a high school diploma or equivalent with at least 24 semester hours of land surveying courses and at least 4 years of experience. As no administrative rules were put in place before the Act changed again in 2012, no applicants for the FS were reviewed to meet the educational requirements of Section 1270.15 except for the 24 semester hours of land surveying courses.

an) August 29, 2009. The minimum requirements to sit for the Principles and Practice examination and the Illinois Jurisdictional exam were changed from having an active LSIT to having an active LSIT with either a 1) accredited Land Surveying baccalaureate degree or 2) a baccalaureate degree in a Related Science with at least 24 semester hours of land surveying courses, with the degree meeting the Related Science course requirements in Section 1270.15. A LSIT was no longer sufficient to be approved to sit for the PS and Illinois Jurisdictional examinations.

ao) In March of 2010, the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE) ceased to be offered as the TOEFL-iBT (Internet Based Test) was established and superseded this exam. While in effect, the TOEFL and TSE requirements were a minimum score of 550 or 213 for the computer based-test and that TSE was a minimum score of 50.

ap) April 27, 2010. Section 1270.56 Minimum Standards of Practice was amended to include the standards for a topographic survey.

aq) January 1, 2012. Act was amended back to requiring either a 1) land surveying baccalaureate degree, or 2) a Related Science degree meeting the specific requirements of Section 1270.15 (24 semester hours of land surveying courses, 15 hours math, 8 hours physics or chemistry and 20 hours of additional basic sciences) in order to sit for the FS and be enrolled as a LSIT. The qualifications for sitting for the PS and the Illinois Jurisdictional examination were kept to be either 1) accredited Land Surveying baccalaureate degree or 2) a baccalaureate degree in a Related Science with at least 24 semester hours of land surveying courses, with the degree meeting the specifications of Section 1270.15. Any applicant who had been previously approved to sit for the FS exam was required to have the new application reviewed in order to determine that they met the current education requirements for licensure.

ar) January 1, 2014. NCEES changed the Fundamentals of Surveying examination from a 6-hour paper exam to a Computer Based Test (CBT) which became available to be taken up to a maximum of three times in a year, available through Pearson Vue testing centers once a quarter.

as) January 1, 2014. Written signature no longer required: Licensee may provide, at his or her sole discretion, an original signature in the licensee's handwriting, a scanned copy of the document bearing an original signature or signature generated by a computer.

at) November 13, 2015. Section 1270.5, 1270.10, and 1270.30 allow evaluation to be completed by NCEES.

au) October 2016. The PLS examination was changed from a 6-hour paper exam to a Computer Based Test (CBT) available continuously throughout the year for those approved to sit. The applicant could take the exam up to 3 times a year, with a maximum of once per quarter. NCEES stopped registering applicants to take state constructed exams. CTS is to increase the administering of the Illinois Jurisdictional examination to four times a year from twice a year.

av) January 1, 2018. Changes to Act took place.

1) The term Land Surveyor-in-Training was changed to Surveyor Intern.

2) The Fundamentals of Engineering examination and SIT(SI) enrollment no longer expire.

(Source: Added at 47 Ill. Reg. 798, effective January 5, 2023)

Section 1270. ILLUSTRATION A Professional Land Surveyor Seal and Signature

(Source: Added at 47 Ill. Reg. 798, effective January 5, 2023)



[Signature]
[Date Signed]
License Expires: [Date]

References

Illinois Department of Financial and Professional Regulation: Professional Land Surveyor
- Homepage

<https://idfpr.illinois.gov/profs/landsurv.html>

Illinois Compiled Statutes: 225 ILCS 330 Professional Engineering Practice Act of 1989,
(225 ILCS 330/1 to 225 ILCS 330/49)

<https://ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1345&ChapAct=225%2%A0ILCS%2%A0330/&ChapterID=24&ChapterName=PROFESSIONS+AND+OCCUPATIONS&ActName=Illinois+Professional+Land+Surveyor+Act+of+1989>.

Illinois Administrative Code: Title 68, Chapter VII, Subchapter B, Part 1270 Illinois
Professional Land Surveyor Act Of 1989, (1270.5 to 1270.65)

<https://www.ilga.gov/commission/jcar/admincode/068/06801270sections.html>