

# Resource Information

## Professional Surveyor Exam

The following resources are included in this packet on Resource pages 2 through 51.

1. From the **Indiana Code** (statute law)
  - a. **IC 25-21.5-9-9.** Real Property Descriptions in Original or Retracement Surveys; Required Caption [Resources page 2]
  - b. **IC 23-14-35-5.** Requirements for recorded surveys and plats of cemeteries [Resources Page 2]
  - c. **IC 25-21.5-9-7 and 8.** Surveyor Right of Entry [Resources page 3]
  - d. **IC 36-2-19-4.** Recording plat of survey; information included; filing ordinance; filing fee [Resources page 4]
  - e. **IC 36-2-12-10.** Maintenance of legal survey record book; procedure for establishing location of line; notice; effect or location and establishment of lines; appeal [Resources pages 5-6]
  - f. **IC 25-21.5-1-7.** Definition of the Practice of Surveying. [Resources pages 7-10]
2. From the **Indiana Administrative Code** (administrative law/regulations of the Board)
  - a. **865 IAC 1-12** (Rule 12 - The Indiana Survey Standards) [Resources pages 11-32]
  - b. **865 IAC 1-10** (Rules of Professional Conduct) [Resources pages 33-35]
  - c. **865 IAC 1-15** (Continuing Education) [Resources pages 36-42]
3. **The 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys** [Resources pages 43-51]

**NOTE - It is highly recommended that these, and other resources related to Indiana laws, be kept for future reference (recognizing that they may be amended periodically and, hence become out of date).**

**IC 25-21.5-9-9**

**Title 25. Professions and Occupations**

**Article 21.5. Land Surveyors**

**Chapter 9. Authority of Land Surveyor**

**25-21.5-9-9. Real Property Descriptions in Original or Retracement Surveys; Required Caption**

Sec. 9. (a) This section does not apply to descriptions of lots in new subdivisions.

(b) Any new or modified real property description prepared by a professional surveyor as a product of an original survey or a retracement survey must include a caption that identifies:

- (1) the name and professional surveyor registration number of the professional surveyor who prepared the description; and
- (2) the plat of survey produced as a part of the original survey or retracement survey, including the following information:
  - (A) The date of the surveyor's certification.
  - (B) The date of the last revision, if any, to the survey.
  - (C) Any associated project or job number.
  - (D) The name of the survey company, if any.

**IC 23-14-34-5**

**Title 23. Business and Other Associations**

**Article 14. Cemetery Associations**

**Chapter 34. Mandatory Recording of Survey and Plat**

**IC 23-14-34-5. Requirements for recorded surveys and plats**

Sec. 5. A survey and plat recorded under this chapter must:

- (1) show all lots, walks, and drives in the cemetery, all with descriptive names and numbers; and
- (2) include a proper instrument in writing, duly executed and acknowledged by the owner, dedicating the property to cemetery purposes.

## **IC 25-21.5-9**

### **Title 25. Professions and Occupations**

#### **Article 21.5. Land Surveyors**

#### **Chapter 9. Authority of Land Surveyor**

##### **25-21.5-9-7. Land Surveyor entry on land, water, or property**

Sec. 7. (a) As used in this section, "public utility" means a corporation, company, partnership, limited liability company, political subdivision (as defined in IC 36-1-2-13), individual, association of individuals, or their lessees, trustees, or receivers appointed by a court that own, operate, manage, or control any plant or equipment within Indiana for the:

- (1) conveyance of telephone messages;
- (2) production, transmission, delivery, or furnishing of heat, light, water, or power; or
- (3) collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste.

(b) Subject to section 8 of this chapter and except as provided in subsection (c), a land surveyor and any personnel under the supervision of a land surveyor may enter upon, over, or under any land, water, or property within Indiana for the limited purpose of the practice of land surveying. The land surveyor and any personnel under the supervision of the land surveyor may not interfere with any construction, operation, or maintenance activity being conducted upon the land, water, or property by the owner or occupant.

(c) Notwithstanding subsection (b), a land surveyor and any personnel under the supervision of a land surveyor may not enter:

- (1) property owned or controlled by:
  - (A) the Indiana department of homeland security; or
  - (B) a public utility; or
- (2) a building, dwelling, or structure on the land or property.

##### **25-21.5-9-8. Identification before entry; liability of damage**

Sec. 8. (a) To the extent practicable, before entering upon, over, or under any land, water, or property under section 7 of this chapter, a land surveyor and any personnel under the supervision of a land surveyor shall present written identification to the occupant of the land, water, or property.

(b) A land surveyor and any personnel under the supervision of a land surveyor is liable for any damage that may occur to the land, water, or property as a result of entry upon, over, or under the land, water, or property under section 7 of this chapter.

## **IC 36-2-19-4**

### **Title 36. Local Government**

### **Article 2. Government of Counties Generally**

### **Chapter 19. Filing of Surveys**

#### **IC 36-2-19-4. Recording plat of survey; information included; filing ordinance; filing fee**

Sec. 4. (a) If a land surveyor has prepared a plat of any original, retracement, or record document survey (not including Indiana surveyor location reports or other similar documents normally associated with a mortgage loan) the plat shall be recorded in the county recorder's office when:

- (1) a new tax parcel is created;
- (2) no survey has been previously recorded; or
- (3) the monuments, monument references, or the description varies from the last recorded survey of the parcel.

(b) The plat of survey described in subsection (a) must include the following:

- (1) The name of the owner or title holder according to the current county tax records at the time of recording (or the actual title holder if the land surveyor knows the tax records are not accurate).
- (2) The area of each surveyed tract.
- (3) A statement indicating the existence or absence of improvements on each surveyed tract.

(c) The county may enact an ordinance requiring that if plats of survey have been prepared the plats must be filed with the county surveyor's office. If such an ordinance is adopted and a plat of survey has been prepared, a notarized record executed by the surveyor of the filing (showing the name of the surveyor, the date of certification, the name of the owner of the surveyed parcel as described in subsection (b)(1), and a brief description of the surveyed parcel) must be recorded in the recorder's office. The ordinance shall establish a fee schedule for the filing of the plat.

## IC 36-2-12-10

### Title 36. Local Government

#### Article 2. Government of Counties Generally

#### Chapter 12. County Surveyor

### IC 36-2-12-10. Maintenance of legal survey record book; procedure for establishing location of line; notice; effect or location and establishment of lines; appeal

Sec. 10. (a) The county surveyor shall maintain a legal survey record book, which must contain a record of all the legal surveys made in the county showing outline maps of each section, grant, tract, subdivision, or group of sections, grants, tracts, and subdivisions in sufficient detail so that the approximate location of each legal survey can be shown. Legal surveys shall be indexed by location.

(b) A landowner desiring to establish the location of the line between the landowner's land and that of an adjoining landowner by means of a legal survey may do so as follows:

(1) The landowner shall procure a professional surveyor registered under IC 25-21.5 to locate the line in question and shall compensate the professional surveyor.

(2) The professional surveyor shall notify the owners of adjoining lands that the professional surveyor is going to make the survey. The notice must be given by registered or certified mail at least twenty (20) days before the survey is started.

(3) The lines and corners shall be properly marked, monumented by durable material with letters and figures establishing such lines and corners, referenced, and tied to corners shown in the corner record book in the office of the county surveyor or to corners shown on a plat recorded in the plat books in the office of the county recorder.

(4) The professional surveyor shall present to the county surveyor for entry in the legal survey record book a plat of the legal survey and proof of notice to the adjoining landowners. The professional surveyor shall give notice to adjoining landowners by registered or certified mail within ten (10) days after filing of the survey.

(c) A notice under subsection (b)(4) shall include the following information:

(1) A legal survey was performed of an adjoining property under this section.

(2) The plat of the legal survey was filed with the county surveyor for entry into the legal survey record book.

(3) The lines located and established under this section are binding on all landowners affected, as well as the landowners' respective heirs and assigns, unless an appeal is taken under section 14 of this chapter.

(4) An appeal under section 14 of this chapter must be made to the circuit court of the county in which the surveyed property is located not later than one hundred eighty (180) days after the notice of filing.

(5) If the affected landowner has reason to believe that the landowner has a claim of title under adverse possession, the landowner must:

(A) file a claim in a court with proper jurisdiction; or

(B) record an affidavit under IC 36-2-11-19(a)(4) or a deed reflecting the claim of adverse possession in the office of the recorder of the county in which the property is located;

before the end of the applicable time period provided in subdivision (4).

(6) An affected landowner may not bring a claim of title under adverse possession against the state or a political subdivision.

The notice shall also include a legible copy of the plat of the legal survey.

(d) The lines located and established under subsection (b) are binding on all landowners affected and their heirs and assigns, including an affected landowner who claims title under a claim of adverse possession:

(1) that has not been filed in a court with jurisdiction; or

(2) with respect to which:

(A) a deed reflecting the adverse possession; or

(B) an affidavit under IC 36-2-11-19(a)(4);

has not been recorded in the office of the recorder of the county in which the property is located;

as of the date the survey is entered into the legal survey record book under this section, unless an appeal is taken under section 14 of this chapter. The right to appeal commences when the plat of the legal survey is entered by the county surveyor in the legal survey record book.

## IC 25-21.5-1-7

### **Title 36. Professions and Occupations**

#### **Article 21.5. Land Surveyors**

##### **Chapter 1. Definitions**

### **IC 25-21.5-1.7. Practice of Surveying**

Sec. 7. (a) "Practice of surveying" means providing, or offering to provide, professional services involving:

- (1) the making of geometric measurements of, and gathering related information pertaining to, the physical or legal features of the earth, improvements on the earth, the space above the earth, or any part of the earth; and
- (2) the use and development of the measurements and information gathered under subdivision (1) into survey products, including graphics, digital data, maps, plats, plans, reports, and descriptions and projects.

(b) Professional services provided under the practice of surveying include consultation, investigation, testimony evaluation, expert technical testimony, planning, mapping, assembling, and interpreting gathered measurements and information related to any of the following:

- (1) Determining the configuration or contour of the earth's surface or the position of fixed objects thereon by measuring lines and angles and applying the principles of mathematics or photogrammetry.
- (2) Determining the size and shape of the earth, or any point on the earth, by performing geodetic surveys using angular and linear measurements through spatially oriented spherical geometry.
- (3) Determining, by the use of principles of surveying, the position for any nonboundary related survey control monument or reference point, or setting, resetting, or replacing any nonboundary related monument or reference point.
- (4) Locating, relocating, establishing, reestablishing, laying out, retracing, or marking any property or boundary line or corner of any tract of land or of any right-of-way or easement.
- (5) Making any survey or preparing any plat for the subdivision of any tract of land.
- (6) Determining, by the use of principles of surveying, the position for any boundary related survey monument or reference point, or setting, resetting, or replacing any monument or reference point.

- (7) Preparing a description for any parcel or boundary of land, or for any right-of-way or easement, except when prepared by an attorney who is licensed to practice law in Indiana.
  - (8) Determining the amount of acreage contained in any parcel of land, except when determined by an attorney who is licensed to practice law in Indiana.
  - (9) Performing construction staking or layout of the control for any elements of an engineering, building, or construction project, if the position of an element is:
    - (A) dependent on;
    - (B) in specific relation to; or
    - (C) in close proximity to;  
a boundary, property line, or corner, including easements and rights-of-way.
  - (10) For and within subdivisions being designed by a professional surveyor, the preparation and furnishing of plats, plans, and profiles for roads, storm drainage, sanitary sewer extensions, and the location of residences or dwellings where the work involves the use and application of standards prescribed by local, state, or federal authorities.
  - (11) All work incidental to cleaning out, reconstructing, or maintaining existing open and tile drains.
  - (12) Creating, preparing, or modifying electronic or computerized data relative to the performance of the activities described in this subsection.
- (c) Activities included within the practice of surveying that must be accomplished under the responsible charge of a professional surveyor, unless specifically exempted under subsection (d), include the following:
- (1) The creation of maps and geo-referenced data bases representing authoritative locations for boundaries, fixed works, or topography, either by terrestrial surveying methods or by photogrammetric or GNSS locations. This includes maps and geo-referenced data bases prepared by any person, firm, or government agency if that data is provided to the public as a survey product.
  - (2) Original data acquisition, or the resolution of conflicts between multiple data sources, when used for the authoritative location of features within the following data themes:
    - (A) Geodetic control.
    - (B) Orthoimagery.
    - (C) Elevation and bathymetry.
    - (D) Fixed works.
    - (E) Government boundaries.
    - (F) Cadastral information.



- (3) Certification of positional accuracy of maps or measured survey data.
- (4) Measurement, adjustment, and authoritative interpretation of raw survey data.
- (5) GIS-based parcel or cadastral mapping used for authoritative boundary definition purposes wherein land title or development rights for individual parcels are, or may be, affected.
- (6) Interpretation of maps, deeds, or other land title documents to resolve conflicting data elements within cadastral documents of record.
- (7) Acquisition of field data required to authoritatively position fixed works or cadastral data to geodetic control.
- (8) Adjustment or transformation of cadastral data to improve the positional accuracy of the parcel layer or layers with respect to the geodetic control layer within a GIS for purposes of affirming positional accuracy.

(d) A distinction is made in this subsection, in the use of electronic systems, between making or documenting original measurements in the creation of survey products and the copying, interpretation, or representation of those measurements in systems. Further, a distinction is made according to the intent, use, or purpose of measurement products in electronic systems, between the determination of authoritative locations and the use of those products as a locational reference for planning, infrastructure management, and general information. The following items are not included as activities within the definition of the practice of surveying:

- (1) The creation of general maps:
  - (A) prepared by private firms or government agencies for use as guides to motorists, boaters, aviators, or pedestrians;
  - (B) prepared for publication in a gazetteer or atlas as an educational tool or reference publication;
  - (C) prepared for or by educational institutions for use in the curriculum of any course of study;
  - (D) produced by any electronic or print media firm as an illustrative guide to the geographic location of any event; or
  - (E) prepared by lay persons for conversational or illustrative purposes, including advertising material and users' guides.
- (2) The transcription of previously geo-referenced data into a geographic information system by manual or electronic means, and the maintenance thereof, if the data are clearly not intended to indicate the authoritative location of property boundaries, the precise definition of the shape or contour of the earth, and the precise location of fixed works of humans.
- (3) The transcription of public record data, without modification except for graphical purposes, into geographic information systems-based cadastres, including tax maps, zoning maps, and associated records by manual or

electronic means, and the maintenance of that cadastre, if the data are clearly not intended to authoritatively represent property boundaries.

- (4) The preparation of any document by any agency of the federal government that does not define real property boundaries, including civilian and military versions of quadrangle topographic maps, military maps, satellite imagery, and other similar documents.
- (5) The incorporation or use of documents or data bases prepared by any federal agency into a geographic information system, including federal census and demographic data, quadrangle topographic maps, and military maps.
- (6) Inventory maps and data bases created by any organization, in either hard copy or electronic form, of physical features, facilities, or infrastructure that are wholly contained within properties to which the organization has rights or for which the organization has management responsibility. The distribution of these maps and data bases outside the organization must contain appropriate metadata describing, at a minimum, the accuracy, method of compilation, data source or sources, and date or dates, and disclaimers of use clearly indicating that the data are not intended to be used as a survey product.
- (7) Maps, cross-sections, graphics, and data bases depicting the distribution of natural resources or phenomena prepared by foresters, geologists, soil scientists, geophysicists, biologists, archeologists, historians, or other persons qualified to document and interpret the data in the context of their respective practices.
- (8) Maps and geo-referenced data bases depicting physical features and events prepared by any government agency if the access to that data is restricted by statute, including geo-referenced data generated by law enforcement agencies involving crime statistics and criminal activities.
- (9) Classified parcels developed in accordance with IC 6-1.1-6-9(c).

(e) The use of photogrammetric methods or similar remote sensing technology to perform any part of the practice of surveying as defined in this section may be performed only under the direct control and supervision of a professional surveyor or professional photogrammetrists who maintain a current title of "Certified Photogrammetrist" from a national scientific organization having a process for certifying photogrammetrists.

(f) The practice of surveying encompasses a number of disciplines, including geodetic surveying, hydrographic surveying, cadastral surveying, construction staking, route surveying, photogrammetric surveying, and topographic surveying. A professional surveyor may practice only within the surveyor's area of expertise.

**Rule 12. Land Surveying; Competent Practice**

|                        |   |
|------------------------|---|
| <u>865 IAC 1-12-1</u>  | Minimum standards for competent practice of land surveying                |
| <u>865 IAC 1-12-2</u>  | Definitions; abbreviations  |
| <u>865 IAC 1-12-3</u>  | Surveyor responsibility   |
| <u>865 IAC 1-12-4</u>  | Land surveyor duty to accumulate, preserve, and share data                |
| <u>865 IAC 1-12-5</u>  | Property surveys affected   |
| <u>865 IAC 1-12-6</u>  | Field notes   |
| <u>865 IAC 1-12-7</u>  | Measurements for retracement surveys, original surveys, and route surveys |
| <u>865 IAC 1-12-8</u>  | Theoretical uncertainty (Repealed)  |
| <u>865 IAC 1-12-9</u>  | Preliminary research and investigation on retracement surveys             |
| <u>865 IAC 1-12-10</u> | Field work for retracement and original surveys                           |
| <u>865 IAC 1-12-11</u> | Surveyor conclusions in retracement survey                                |
| <u>865 IAC 1-12-12</u> | Publication of retracement and original survey results                    |
| <u>865 IAC 1-12-13</u> | Retracement and original survey plats                                     |
| <u>865 IAC 1-12-14</u> | Original survey preliminary research                                      |
| <u>865 IAC 1-12-15</u> | Original survey research analysis and conclusions (Repealed)              |
| <u>865 IAC 1-12-16</u> | Original survey fieldwork (Repealed)                                      |
| <u>865 IAC 1-12-17</u> | Publication; original survey results (Repealed)                           |
| <u>865 IAC 1-12-18</u> | Original and retracement survey monumentation                             |
| <u>865 IAC 1-12-19</u> | Original survey plats (Repealed)  |
| <u>865 IAC 1-12-20</u> | Route survey preliminary research   |
| <u>865 IAC 1-12-21</u> | Route survey fieldwork  |
| <u>865 IAC 1-12-22</u> | Measurements for route surveys  |
| <u>865 IAC 1-12-23</u> | Publication of route survey results                                       |
| <u>865 IAC 1-12-24</u> | Route survey monumentation  |
| <u>865 IAC 1-12-25</u> | Route survey plats  |
| <u>865 IAC 1-12-26</u> | Effective date for route surveys (Repealed)                               |
| <u>865 IAC 1-12-27</u> | Surveyor location reports; purpose; scope                                 |
| <u>865 IAC 1-12-28</u> | Surveyor location reports; requirements                                   |
| <u>865 IAC 1-12-29</u> | Surveyor location reports; certificate                                    |
| <u>865 IAC 1-12-30</u> | Section corner perpetuation   |

**865 IAC 1-12-1 Minimum standards for competent practice of land surveying**

Authority: IC 25-21.5-2-14

Affected: IC 25-1-11; IC 25-21.5-4-2

Sec. 1. (a) This rule establishes minimum standards for the competent practice of land surveying as required by IC 25-21.5-2-14.

(b) The failure of a registered land surveyor to comply with the provisions of this rule may subject the registered land surveyor to sanctions as provided in IC 25-1-11.

(c) Given the ultimate responsibility of a registered land surveyor for work done by an employee or subordinate who is exempt from licensure under IC 25-21.5-4-2, the failure of such an employee or subordinate to comply with the provisions of sections 6 through 29 of this rule may subject a registered land surveyor to sanctions as provided in IC 25-1-11, unless the registered land surveyor did not know and could not, with the exercise of reasonable diligence, have known of the act or omission by the employee or subordinate.

(d) Nothing contained in this rule shall be interpreted to give the board authority to take action under IC 25-21.5-10 against a nonregistered employee or subordinate of a registered land surveyor.

(e) The provisions of this rule establish minimum requirements. There may be other acts taken, or omissions made, by a registered land surveyor in the course of rendering professional services to a client which shall also constitute professional incompetence. (*State Board of Registration for Professional Surveyors; 865 IAC 1-12-1; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3909; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2239; filed Oct 13, 1992, 5:00 p.m.: 16 IR 885; errata filed Sep 14, 1994, 2:50 p.m.: 18 IR 268; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; readopted filed Nov 29, 2018, 10:35 a.m.: 20181226-IR-865180404RFA*) NOTE: 864 IAC 1.1-13-1 was renumbered by Legislative Services Agency as 865 IAC 1-12-1.

**865 IAC 1-12-2 Definitions; abbreviations**

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-4-2

Sec. 2. (a) The definitions in this section apply throughout this rule.

(b) "ALTA/ACSM Land Title Survey" refers to an original or retracement survey conducted in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" as the requirements are adopted by the:

- (1) American Land Title Association;
- (2) National Society of Professional Surveyors; or
- (3) American Congress on Surveying and Mapping.

(c) "Controlling monument" means any undisturbed artificial, physical, or record monument called for in a record plat or land title description and controls any combination of the:

- (1) location;
- (2) dimensions; or
- (3) configuration;

of the described tract.

(d) "EDM" refers to electronic distance measurements.

(e) "Land surveyor" means either of the following:

- (1) A registered land surveyor.
- (2) An individual who is as follows:
  - (A) An employee or subordinate of a registered land surveyor.
  - (B) Exempt from licensure under IC 25-21.5-4-2.

(f) "Original survey" means a survey that is executed for the purpose of locating and describing real property that has not been previously described in documents conveying an interest in the real property.

(g) "Registered land surveyor" means an individual who has been registered by the board in the profession of land surveying under IC 25-21.5.

(h) "Relative positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to random

errors in measurements in the location of any point on a survey relative to any other point on the same survey at the ninety-five percent (95%) confidence level.

(i) "Retracement survey" means a survey of real property that has been previously described in documents conveying an interest in the real property.

(j) "Right-of-way" means land taken by either:

- (1) easements; or
- (2) fee simple title;

for the linear routes identified in subsection (k).

(k) "Route survey" refers to surveys executed for the purpose of acquiring an interest in the tracts of land required for the following:

- (1) Highways.
- (2) Railroads.
- (3) Waterways.
- (4) Pipelines.
- (5) Electric lines.
- (6) Any other linear transportation or utility route.

The term does not include surveys executed for acquisition parcels that are of even width and immediately adjacent to an existing title, easement, or right-of-way line and do not require a property survey in order to prepare an accurate legal description for the parcel. Route surveys are not considered either original surveys or retracement surveys.

(l) "Subdivision plat" means a plat of subdivision of land prepared in accordance with either or both of the following:

- (1) State plat statutes.
- (2) Local subdivision regulations, or both.

(m) "Theory of location" means applying:

- (1) federal laws, including 43 U.S.C. 751 through 43 U.S.C. 775;
- (2) state and local laws; and
- (3) court precedent;

to establish the position of real property corners. (*State Board of Registration for Professional Surveyors; 865 IAC 1-12-2; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3909; errata filed Feb 5, 1990, 4:15 p.m.: 13 IR 1189; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2240; filed Oct 13, 1992, 5:00 p.m.: 16 IR 885; filed Oct 14, 1993, 5:00 p.m.: 17 IR 408; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1882; filed May 4, 2006, 1:25 p.m.: 29 IR 3007; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; readopted filed Nov 29, 2018, 10:35 a.m.: 20181226-IR-865180404RFA*) NOTE: 864 IAC 1.1-13-2 was renumbered by Legislative Services Agency as 865 IAC 1-12-2.

### **865 IAC 1-12-3 Surveyor responsibility**

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-4-2; IC 25-21.5-7-3

Sec. 3. (a) A registered land surveyor shall be personally responsible for planning and supervising the training, procedures, and daily activities of the nonregistered employees or subordinates involved in the surveys who are acting as exempt persons under IC 25-21.5-4-2. These activities will include, but not necessarily be limited to, the following:

- (1) Client contact.
- (2) Research.
- (3) Collection of field data.
- (4) Note reduction.
- (5) Computation.
- (6) Office analysis.
- (7) Drafting.
- (8) Preparation of certificates and reports.

(b) The daily activities by nonregistered employees or subordinates referred to in subsection (a) may not continue during any extended absences of the responsible registered land surveyor unless another registered land surveyor is in responsible charge during

the land surveyor's absence.

(c) The procedures followed and the decisions made by persons under the registered land surveyor's supervision shall be regularly and systematically reviewed and approved by the registered land surveyor before signing the survey plat.

(d) "Supervision", as used in this section, shall be deemed to require the following:

- (1) Such control by the registered land surveyor, that the registered land surveyor can certify that he or she:
  - (A) is knowledgeable of; and
  - (B) has reviewed and approved;

all actions pertaining to the surveys by persons not licensed who have participated in the survey.

(2) That all persons participating in the survey shall be regular employees of:

- (A) the registered land surveyor;
- (B) the registered land surveyor's employer; or
- (C) another registered land surveyor.

(e) In addition to the requirements in IC 25-21.5-7-3, each office of a firm, partnership, or corporation offering to perform land surveys must have a registered land surveyor in charge of the operations. The registered land surveyor must:

(1) be a full-time employee of the firm, partnership, or corporation and:

- (A) a principal of the partnership or firm; or
- (B) an officer of the corporation;

(2) have full responsible control of the survey operations; and

(3) maintain regular hours at that office:

- (A) convenient for client contact; and
- (B) adequate for employee supervision as defined in subsection (d).

(f) For purposes of this rule, an individual practices as a principal by being as follows:

(1) A registered land surveyor.

(2) The individual in charge of the organization's land surveying practice, either:

- (A) alone; or
- (B) with other registered land surveyors.

(g) A registered land surveyor shall not affix his or her seal on any surveying work unless the:

(1) registered land surveyor personally did the surveying work;

(2) surveying work was performed by:

- (A) a nonregistered employee or subordinate following the requirements of subsection (a); or
- (B) the employees of another registered land surveyor as allowed by subsection (d); or

(3) registered land surveyor is certifying additional survey work based on a survey:

- (A) executed according to this rule; and
- (B) certified by a registered land surveyor working on the same project.

*(State Board of Registration for Professional Surveyors; 865 IAC 1-12-3; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3909; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2240; filed Oct 13, 1992, 5:00 p.m.: 16 IR 886; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1883; filed May 4, 2006, 1:25 p.m.: 29 IR 3008; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; readopted filed Nov 29, 2018, 10:35 a.m.: 20181226-IR-865180404RFA) NOTE: 864 IAC 1.1-13-3 was renumbered by Legislative Services Agency as 865 IAC 1-12-3.*

**865 IAC 1-12-4 Land surveyor duty to accumulate, preserve, and share data**

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 4. A registered land surveyor shall do the following:

(1) Accumulate, through experience and research, information on the historical development of surveys in the geographical area in which the land surveyor practices.

(2) Accumulate:

- (A) survey records;
- (B) field notes;

- (C) plats; and
  - (D) other data;
- pertinent to the area of practice.
- (3) Properly file and index for future reference those:
- (A) field notes;
  - (B) computations;
  - (C) maps;
  - (D) plats;
  - (E) photographs; and
  - (F) other data;

accumulated during the survey.

(4) Provide for the long term preservation (maintenance) of the survey data. Filing of public records will partially meet this obligation. If possible, a registered land surveyor should make arrangements for the transfer of the land surveyor's records upon retirement or death.

(5) If possible, discuss the land surveyor's survey work confidentially with other registered land surveyors in the event of substantive conflicts or discrepancies revealed by the survey. These discussions must:

- (A) not violate the registered land surveyor-client confidence; and
- (B) be sufficient to discharge the registered land surveyor's obligations to the public and the profession.

*(State Board of Registration for Professional Surveyors; 865 IAC 1-12-4; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3910; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2241; filed Oct 13, 1992, 5:00 p.m.: 16 IR 887; filed Mar 6, 1995, 4:00 p.m.: 18 IR 1834; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3009; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; readopted filed Nov 29, 2018, 10:35 a.m.: 20181226-IR-865180404RFA) NOTE: 864 IAC 1.1-13-4 was renumbered by Legislative Services Agency as 865 IAC 1-12-4.*

#### **865 IAC 1-12-5 Property surveys affected**

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 5. All retracement surveys and original surveys, including all ALTA/ACSM Land Title Surveys, and all updates or recertifications of previously completed surveys must fully comply with this rule except the following:

- (1) Surveyor location reports as provided for in sections 27 through 29 of this rule are only subject to sections 1 through 4, 6, and 27 through 29 of this rule.
- (2) Construction surveys made for the purpose of marking the limits of existing easements or rights-of-way for the construction of improvements within the easement or rights-of-way must be executed by a registered land surveyor but are only subject to the provisions of sections 1 through 4 and 6 of this rule.
- (3) Delineation or demarcation and placement of any monument or markers, for example, wood stakes, flags, and rebar, for the purpose of constructing:
  - (A) fences;
  - (B) buildings;
  - (C) walls; or
  - (D) other improvements;

on or in close proximity to a land boundary must be executed by a registered land surveyor, but are only subject to sections 1 through 4 and 6 of this rule provided the land surveyor has found acceptable evidence of the boundary location in accordance with this rule. Any survey monuments or markers set in conjunction with a retracement or original survey must comply with all provisions of this rule.

*(State Board of Registration for Professional Surveyors; 865 IAC 1-12-5; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2242; filed Oct 13, 1992, 5:00 p.m.: 16 IR 887; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1884; filed May 4, 2006, 1:25 p.m.: 29 IR 3009; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; readopted filed Nov 29, 2018, 10:35 a.m.: 20181226-IR-865180404RFA) NOTE: 864 IAC 1.1-13-5.1 was renumbered by Legislative Services Agency as 865 IAC 1-12-5.*