

STATEMENT OF SCOPE

Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors

Rule No.: A-E 7

Relating to: Minimum Standards for Property Surveys

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

Not applicable.

2. Detailed description of the objective of the proposed rule:

The Professional Land Surveyors Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors (A-E Board) has determined that chapter A-E 7, relating to Minimum Standards for Property Surveys, needs to be reviewed and potentially amended to provide clarification for professional land surveyors.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

A comprehensive review will be undertaken to evaluate and potentially amend A-E 7 to provide clarification for professional land surveyors. Licensees have raised questions to the Professional Land Surveyors Section regarding how to apply various sections consistently for property surveys, such as whether the exemption in A-E 7.025 is intended to be from parts of A-E 7.05 or the rule in its entirety. As a result of such questions, licensees have requested the Professional Land Surveyors Section undertake a comprehensive review of the chapter to ensure consistency and clarity in the application of minimum standards. The alternative of not reviewing and potentially amending the rules would be less beneficial to affected entities.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides an examining board, “shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains...”

Section 443.015 (2), Stats., provides that “each section of the examining board may promulgate rules governing the professional conduct of individuals, firms, partnerships, and corporations registered, permitted, certified, or granted a certificate of authorization by that section.”

Section 443.02 (4), Stats., provides that “no person may engage in or offer to engage in the practice of professional land surveying in this state or use or advertise any title or description tending to convey the

impression that the person is a professional land surveyor unless the person has been granted a license under this chapter to engage in the practice of professional land surveying.”

Section 443.12 (1), Stats., provides that “the professional land surveyor section may reprimand a professional land surveyor, or limit, suspend, or revoke the license of any professional land surveyor, for the practice of any ... incompetence, or misconduct in the practice of professional land surveying.”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule :

The Department estimates approximately 120 hours will be needed to perform the review and develop any rule changes. The Department will assign existing staff to perform the review and develop the rule changes. No additional resources will be required.

6. List with description of all entities that may be affected by the proposed rule :

Licensed professional land surveyors and persons who use their services.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The rule changes contemplated in this project are not expected to have any negative economic impacts on any of the affected entities.

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