

BOARDS AND COMMISSIONS

Board of Licensure for Professional Engineers and Land Surveyors (Amended at ARRS Committee)

201 KAR 18:192. Continuing professional development for professional land surveyors.

RELATES TO: KRS 322.180(3), 322.190, ~~322.270,~~ 322.290(15)

STATUTORY AUTHORITY: KRS 322.290(4), (15)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 322.290(4) and (15) require~~(15) requires~~ the board to promulgate administrative regulations to establish~~adopt~~ a program of continuing education for professional land surveyors. This administrative regulation establishes requirements for~~implements~~ the~~the~~ continuing professional development program mandated by KRS 322.290(15) for professional land surveyors.

Section 1. Definitions.

(1) "Calendar year" means a one (1) year ~~one-year~~ period of time beginning on January 1 and ending on December 31. ~~["Completion" means the professional land surveyor has satisfactorily met specific requirements of an offering by taking and passing a university course or attending a seminar.]~~

(2) "Contact hour" means a minimum of fifty (50) minutes of instruction or presentation.

(3) ~~(2)~~ "Continuing professional development" or "CPD" means participation in activities, beyond the basic educational requirements, that:

- (a) Provide specific content planned and evaluated to improve the professional land surveyor's ~~professional~~ competence;
- (b) Encourage acquisition of new skills and knowledge required to maintain competence;
- (c) Strengthen the professional land surveyor's critical inquiry and balanced judgment;
- (d) Raise the ethical standards within the professional community; and
- (e) Meet the requirements established by this administrative regulation.

(4) "Dual Licensee" means a person licensed as both a professional land surveyor and a professional engineer.

(5) ~~(3)~~ "Licensee" means a person licensed as a professional land surveyor. ~~["CPDC" means the Continuing Professional Development Committee.]~~

(6) ~~(4)~~ "Professional development hour" or "PDH" means one (1) nominal contact hour~~not less than fifty (50) minutes~~ of instruction or presentation that meets the requirements of this administrative regulation.

(7) ~~(5)~~ "Provider" means a person, school, association, company, corporation, or group who has developed a CPD activity and participates directly in the presentation.

(8) ~~(6)~~ "Reporting period" means the two (2) calendar years preceding the June 30 deadline for renewal of license. ~~["Sponsor" means a group, organization, or professional society, offering activities by providers.]~~

(9) "Surveying Committee" means the Surveying Committee of the State Board of Licensure for Professional Engineers and Land Surveyors.

~~[Section 2.] [Continuing Professional Development Committee.]~~

~~(1) [The chair of the State Board of Licensure for Professional Engineers and Land Surveyors shall appoint a Continuing Professional Development Committee and name its chair.]~~

~~(2) [The CPDC shall consist of five (5) board of licensure members of which at least three (3) are professional land surveyors.]~~

~~{(3)} [Work of the CPDC shall be considered work of the board, and compensation shall be given as provided by KRS 322.270.]~~

~~{(4)} [The CPDC shall hold regular meetings, and a record of its action shall be maintained.]~~

~~{(5)} [The CPDC may rule on all matters concerning continuing professional development for professional land surveyors.]~~

~~{(a)} [In order to be binding, a decision of the CPDC shall be ratified by the board.]~~

~~{(b)} [A licensee who disagrees with a decision of the CPDC may direct his or her concerns to the board for consideration at a subsequent meeting of the board.]~~

Section 2. [Section 3.] Program Structure.

(1) Except as established/provided/in [by] Section ~~5~~~~[6(1) and (2)]~~ of this administrative regulation~~[and subsection (3) of this section]~~, a licensee~~[professional land surveyor]~~ shall complete ~~[and report to the board a minimum of eight (8) professional development hours for each calendar year, for a total of]~~ a minimum of sixteen (16) PDH units~~[professional development hours for]~~ each reporting period.

(2) The requirement for continuing professional development ~~[hours]~~ shall include a four (4) PDH~~[hour]~~ course, pre-approved by the Surveying Committee *based on the criteria established in Section 9 of this administrative regulation*~~[CPDC]~~, in standards of practice for professional land surveyors, professional ethics, and the code of professional practice and conduct, taken once every four (4) years. ~~This~~~~[In the year that this]~~ course ~~[is taken, it]~~ shall count as four (4) of the required sixteen (16) PDH for the reporting period in which it is taken~~[eight (8) hours]~~.

(3) If a licensee exceeds the requirement, a ~~[A]~~ maximum of eight (8) PDH units~~[four (4) hours in excess of the sixteen (16) professional development hours required to be earned in a reporting period]~~ may be carried forward to the next reporting period.

(4) PDH units earned by a dual licensee under this administrative regulation may also be used to meet the professional engineer requirements under 201 KAR 18:196 if the PDH units also meet the requirements of 201 KAR 18:196.

~~(5) {(4)}~~ Failure to earn the required PDH units~~[sixteen (16) professional development hours per reporting period]~~ shall constitute unprofessional conduct~~[make the licensee ineligible for licensure renewal]~~.

Section 3. [Section 4.] Criteria for Professional Development.

(1) Continuing professional development activities applicable to the renewal of the license shall be directly related to the professional growth and development of the professional land surveyor.

(2) ~~{(1)}~~ PDH units ~~[Professional development hours]~~ may be earned upon~~[by]~~ successful completion of~~[the following activities]~~:

(a) College or university courses;

(b) Continuing education courses ~~[Seminars]~~;

(c) Short courses, tutorials, webinars, and distance-education courses offered as face-to-face programs, live internet-based programs, archived prerecorded programs, or archived correspondence programs ~~[Tutorials]~~;

(d) Presenting or attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, conferences, or educational institutions ~~[In-house programs sponsored by corporations or other organizations]~~;

(e) ~~[Correspondence courses]~~;

~~{(f)}~~ ~~[Televised or videotaped courses]~~;

~~{(g)}~~ ~~[Distance learning courses]~~;

~~{(h)}~~ Teaching or instructing activities~~[courses, programs, or items]~~ established/specified in paragraphs (a) through (d)~~{(g)}~~ of this subsection;~~[-]~~

- [1.] ~~[This credit may be claimed at twice the number of hours permitted participants.]~~
- [2.] ~~[The credit shall not be claimed more than once for teaching or instructing the same or substantially similar course, program, or item;]~~
- ~~[(i)] [Making or attending approved presentations at technical or professional meetings; or]~~
- (f) ~~[(j)]~~ Authoring published ~~[Publication of]~~ papers, articles, ~~[or]~~ books, or accepted licensing examination items related to the practice of land surveying; ~~or~~ ~~[.]~~
- (g) Active participation in professional or technical societies as authorized in subsection (5)(g) of this section.
- (3) ~~[(2)]~~ To qualify for credit, activities ~~[Activities]~~ established ~~[described]~~ in subsections ~~[subsection]~~ (1) and (2) of this section shall:
- (a) Be relevant to the practice of land surveying;
 - (b) Contain technical, ethical, or managerial subjects;
 - (c) Be an organized program of learning;
 - (d) Be conducted by individuals with education, training, or expertise; and
 - ~~[(e)] [Be offered for the number of professional development hours recommended by the program author, subject to review and acceptance or adjustment by the CPDC; and]~~
 - (e) ~~[(f)]~~ Not include:
 - 1. In-service training;
 - 2. Orientation to specific institutional policies and practices; or
 - 3. Time used to sell or advertise a product; ~~or~~ ~~[.]~~
 - 4. Self-study.
- (4) ~~[(3)]~~ CPD activities shall be credited ~~[earn credit]~~ only if substantially different from a course for which credit was claimed or granted in the current reporting period ~~[calendar year or previous two (2) calendar years]~~.
- (5) ~~[(4)]~~ PDH units ~~[Professional development hours]~~ shall be converted as established in paragraphs (a) through (g) of this subsection ~~[follows:]~~ ~~[established in paragraphs (a) through (e) of this subsection.]~~
- (a) Credit for college or university courses shall be based upon course credit established by the college or university.
- 1. ~~[(a)]~~ One (1) university semester hour shall equal forty-five (45) PDH units ~~[fifteen (15) professional development hours]~~.
 - 2. ~~[(b)]~~ One (1) university quarter hour shall equal thirty (30) PDH units ~~[ten (10) professional development hours]~~.
- (b) ~~[(c)]~~ One (1) continuing education unit shall equal ten (10) PDH units ~~[professional development hours]~~.
- (c) One (1) nominal contact hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, or conferences shall equal one (1) PDH unit. The total number of hours allowed for an activity shall not ~~[cannot]~~ exceed the actual number of clock hours.
- (d) Credit for correspondence, televised, videotaped, distance learning, and other short courses or tutorials shall be the equivalent PDH units recommended by the program author ~~[subject to board review]~~.
- (e) For teaching an activity established in subsection (2)(a) through (d) of this section ~~[described in paragraphs (a) through (d) of Section 3(2)]~~, multiply the number of PDH units earned by participants for that activity by two (2). Teaching credit shall only be valid for the first time the activity is taught.
- (f) Each published paper, article, or book shall equal ten (10) PDH units.
- (g) Active participation in a professional or technical society shall equal two (2) PDH units for each organization.

1. Credit for active participation in professional or technical societies shall require that the licensee serve as an officer or committee chair of the organization.
2. PDH units shall not be earned until the end of each year of service is completed.

Section 4. Recordkeeping.

- (1) The licensee shall be responsible for maintaining records used to support PDH units claimed.
- (2) Records required include:
 - (a) A log showing the date of the activity, provider, location, activity title, description, presenter's name, and PDH units earned; and
 - (b) Attendance certification records in the form of completion certificates or other documents supporting evidence of attendance.

~~[Section 5.] [Approval of a Continuing Professional Development Activity. Activity approvals may be granted for sponsors, providers, or individual professional land surveyors.]~~

- ~~[(1)] [Approval of activities shall be valid for a specified approval period or until alteration of the activity is approved by the CPDC.]~~
- ~~[(2)] [Failure to notify the CPDC of a change in an activity, including a change in the instructor, may render approval of the activity null and void.]~~
- ~~[(3)] [Prior to approval, an activity shall not be advertised as approved for Kentucky professional land surveyors but may be advertised that the activity has been "submitted for consideration."]~~
- ~~[(4)] [If prior or post approval is desired, a written request for approval of the activity shall be submitted to and received by the CPDC on the Continuing Professional Development Course Approval Form at least forty-five (45) days prior to the meeting date of the CPDC at which the request will be considered.]~~
- ~~[(5)] [All requests for approval of an activity shall be accompanied by:]~~
 - ~~[(a)] [A detailed outline and objectives;]~~
 - ~~[(b)] [A time outline including registration, introductions, welcomes, breaks, and meals;]~~
 - ~~[(c)] [Handouts or reference materials needed to evaluate the activity; and]~~
 - ~~[(d)] [A resume for each instructor or speaker in the activity.]~~
- ~~[(6)] [The CPDC or board may send a representative to monitor an activity.]~~
 - ~~[(a)] [The provider or sponsor shall waive all fees for the CPDC or board representative.]~~
 - ~~[(b)] [Approval for the activity may be withdrawn for subsequent iterations of the activity, if significant variation is observed from the approved activity.]~~
- ~~[(7)] [An evaluation form shall be made available for participants at each presentation.]~~
- ~~[(8)] [An individual under disciplinary action from the board or a business entity with a principal who is under disciplinary action from the board shall not present a CPD activity for credit without prior, written approval from the board.]~~
- ~~[(9)] [If a provider fails to obtain prior approval, a professional land surveyor may request credit for an activity by making a written request for post approval to the CPDC and including in that request, the items listed in subsection (5) of this section.]~~
- ~~[(10)] [Upon approval, an activity shall receive a CPD number, which shall be used to identify the activity.]~~
- ~~[(11)] [If an activity is not approved by the CPDC, the requestor shall be sent notice of nonapproval within two (2) weeks of its decision. This decision shall be presented to the board at its next meeting for consideration of ratification.]~~

Section 5. [Section 6.] Exemptions and Extensions.~~[A professional land surveyor may be exempted from the requirements of this administrative regulation by submitting a written~~

~~request to the CPDC with supporting documentation for the exemption if a requirement established in this section is met.]~~

(1) A ~~licensee~~~~[professional land surveyor]~~ shall be exempted ~~from continuing professional development requirements~~ for the ~~[reporting period containing the]~~ calendar year in which ~~the licensee~~~~[he or she]~~ is initially licensed by the board. ~~If the licensee is initially licensed in the first calendar year of the reporting period, the number of PDH units required for that reporting period shall be eight (8) PDH units.~~

(2) ~~A licensee who is on active duty in the Armed Forces of the United States shall be exempted from continuing professional development requirements for those years in which the licensee was on active duty.~~

(3) ~~A former licensee~~ ~~*[An individual]*~~ who has selected inactive or retired status shall be exempted from continuing professional development requirements.

(4) ~~[(2)]~~ A ~~licensee~~~~[professional land surveyor]~~ who is ~~unable to~~~~[cannot]~~ satisfy the CPD requirement because of physical disability, illness, or other extenuating circumstance ~~shall~~~~[may]~~ be granted an extension~~[exempted]~~ for the calendar year in which the disability, illness, or extenuating circumstance occurs.

(5) ~~[The board]~~ ~~[CPDC]~~ ~~*[may grant an extension of time to fulfill the]*~~ ~~[yearly]~~ ~~*[CPD requirement for an extenuating circumstance.]*~~

~~[(6)]~~ ~~[(3)]~~ An ~~*[exemption or]*~~ extension request shall be made in writing, with supporting documentation, to the board during the calendar year in which the ~~*[exemption or]*~~ extension is requested~~[for each calendar year]~~, and the ~~*[exemption or]*~~ extension shall only be valid for that calendar year.

Section 6. ~~[Section 7.]~~ Reinstatement. Before a license is reinstated by the board under 201 KAR 18:115, a former ~~licensee~~~~[professional land surveyor]~~ shall earn the ~~PDH units~~~~[continuing professional development hours]~~ required for each ~~reporting period~~~~[year]~~ the license was revoked, suspended, ~~[or]~~ expired, ~~or in inactive or retired status up to a maximum of thirty-two (32) PDH units~~~~[professional development hours]~~.

Section 7. ~~[Section 8.]~~ Reporting.

~~[(1)]~~ A ~~licensee~~~~[professional land surveyor]~~ shall certify *on the Online Individual Renewal Professional Land Surveyor form* whether or not ~~the licensee~~~~[he or she]~~ has complied with the requirements of this administrative regulation during the biennial renewal of license~~[on the Electronic License Renewal Application, available at www.kyboels.ky.gov]~~. The failure to truthfully report compliance with this administrative regulation shall constitute unprofessional conduct.

~~[(2)]~~ ~~[Biennial renewal forms received after September 1 shall be subject to the audit process in Section 9 of this administrative regulation.]~~

Section 8. ~~[Section 9.]~~ Audits.

(1) Compliance with the ~~[annual]~~ CPD requirements shall be determined through an audit process.

(2) ~~Four (4) percent of licensees who have completed their biennial renewals before September 1 of their renewal year shall be selected for audit through a random selection process~~ ~~[Professional land surveyors shall be audited through a random selection process or as the result of information provided to the board].~~

(3) ~~All licensees who complete their biennial renewals on or after September 1 of their renewal year shall be audited~~ ~~*[subjected to the audit process]*~~.

(4) ~~A licensee who is the subject of an investigation pursuant to KRS 322.190 shall be audited~~ ~~*[subjected to the audit process]*~~.

(5) ~~[(3)]~~ A licensee ~~[Individuals]~~ selected for audit shall provide the board with documentation as *established*~~[described]~~ in Section 4 of this administrative regulation within thirty (30) days of the board's request~~[, provide the board with documentation of~~

~~the CPD activities claimed for the renewal period. Appropriate documentation shall include:~~

~~{(a)} [Verification records in the form of transcripts, completion certificates, or other documents supporting evidence of participation; or]~~

~~{(b)} [Information regarding seminar or course content, instructors, and sponsoring organizations.]~~

~~{(4)} [Individual licensees shall maintain verification records and documentation for audit purposes for the current reporting period and at least the two (2) previous reporting periods.]~~

~~{(5)} [If continuing professional development credit is disallowed, the licensee]~~
~~professional land surveyor shall have sixty (60)[180] calendar days after notification to substantiate the original claim or earn other PDH units[credit] to meet the requirement.~~

~~{(6)} [Failure to comply with the CPD requirements shall constitute[be considered] a violation of KRS 322.180(3).{(3)}] subjecting the licensee[professional land surveyor] to disciplinary action].~~

~~{(7)} [If a licensee fails to comply with the CPD requirements, the licensee shall automatically be audited. An audit resulting in a determination of noncompliance shall subject the licensee] [professional land surveyor] [to an automatic audit for] the next reporting period and each subsequent reporting period until an audit results in a determination of compliance.~~

~~{(8)} [A professional land surveyor who is under investigation pursuant to KRS 322.190 shall be subject to the audit requirements of this section.]~~

Section 9. Approval for a Standards of Practice, Professional Ethics, and Code of Professional Practice and Conduct Course.

(1) The Surveying Committee shall pre-approve or disapprove [instructors for] a four (4) PDH course in standards of practice for professional land surveyors, professional ethics, and the code of professional practice and conduct in accordance with this administrative regulation .

(2) Approval of the course shall be valid for three (3) years.

(3) Failure to notify the board of a change in the course, including a change in the instructor, shall [may] render approval of the course null and void.

(4) A written request for approval of the course shall be submitted to and received by the board at least sixty (60) days prior to the meeting date of the Surveying Committee at which the request will be considered.

(5) All requests for approval of the course shall be accompanied by:

(a) A detailed outline and objectives;

(b) A time outline including registration, introductions, welcomes, breaks, and meals;

(c) All presentation materials, handouts, and reference materials; and

(d) A resume for instructor.

(6) The board may send a representative to monitor live presentations of the course.

(a) The provider shall notify the board at least sixty (60) days prior to providing a live presentation of the course.

(b) The provider shall waive all fees for the board representative and reimburse costs, if any, of attending the course.

(c) Approval for the course shall [may] be withdrawn for subsequent iterations of the course if significant variation is observed from the approved course.

(7) An evaluation form shall be made available for participants at each presentation.

(8) An individual under disciplinary action from the board or a business entity with a principal who is under disciplinary action from the board shall not present the course without prior, written approval from the board.

(9) Upon approval *in accordance with this administrative regulation*, an activity shall receive a CPD number, which shall be used to identify the course.

(10) If a course is not approved by the Surveying Committee, the requestor shall be sent notice of disapproval within two (2) weeks of its decision.

Section 10. Incorporation by Reference.

(1) "Online Individual Renewal â€œ Professional Land Surveyor", October 2024, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at Kentucky State Board of Licensure for Professional Engineers and Land Surveyors, 160 Democrat Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

(3) This material may also be obtained at kyboels.gov. / This decision shall be presented to the board at its next meeting for consideration of ratification. /

~~[Section 10.] [Incorporation by Reference.]~~

~~[(1)] [The following material is incorporated by reference:]~~

~~[(a)] ["Continuing Professional Development Course Approval Form", November 1999, State Board of Licensure for Professional Engineers and Land Surveyors; and]~~

~~[(b)] ["Electronic License Renewal Application", 2012.]~~

~~[(2)] [This material may be inspected, copied, or obtained, subject to applicable copyright law, at Kentucky State Board of Licensure for Professional Engineers and Land Surveyors, 160 Democrat Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.]~~

(26 Ky.R. 1460; 1678; eff. 2-24-2000; 33 Ky.R. 856; 1284; eff. 12-1-2006; 38 Ky.R. 654; 894; eff. 12-2-2011; 39 Ky.R. 530; 948; eff. 12-7-2012; 40 Ky.R. 2593; 41 Ky.R. 15; eff. 8-1-2014; Crt eff. 2-14-2020; 51 Ky.R. 364, 1090; eff. 3-4-2025.)

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