
SUBCHAPTER 11.
LAND SURVEYORS; CONTINUING COMPETENCY

**13:40-11.1 CONTINUING PROFESSIONAL COMPETENCY REQUIREMENTS;
FAILURE TO COMPLY**

Any professional land surveyor who fails to comply with the continuing professional competency requirements set forth in this subchapter shall be subject to the penalties set forth in N.J.S.A. 45:8-35.9.

13:40-11.2 DEFINITIONS

As used in this subchapter, the following terms shall have the following meanings:

"Approved course or activity" means any course or activity with a clear technical purpose and objective or whose purpose and objective is to enhance the skills and knowledge in ethical and business practices, which will maintain, improve or expand skills and knowledge and develop new and relevant technical skills and knowledge in the discipline being practiced by the licensee.

"College/unit semester/unit quarter/hour" means the credit for an ABET (Accreditation Board for Engineering and Technology) approved course or other related college course approved in accordance with N.J.A.C. 13:40-11.6(a)1.

"Contact hour" means 50 minutes of in-class instruction and participation.

"Continuing professional competency credit" or "CPC credit" means one hour of instruction.

13:40-11.3 CREDIT-HOUR REQUIREMENTS; DUAL LICENSEES

- a) Each applicant for license renewal shall be required to have completed, during the preceding biennial period, a minimum of 24 credits of continuing professional competency.
- b) A maximum of eight credits of continuing professional competency may be carried over into a succeeding biennial renewal period.
- c) Except as provided in (d) below, each person licensed as both a professional engineer and professional land surveyor shall complete at least 36 CPC credits relating to the practice of professional engineering and professional land surveying as a condition of biennial renewal. At least 12 of the required 36 credits must be completed in professional engineering, of which two, no more than eight, shall be in professional practice ethics, and at least 12 credits must be completed in professional land surveying. The remaining 12 credits may be completed in either professional engineering or professional land surveying.
- d) For the renewal period beginning May 1, 2012, each person who is licensed as both a professional engineer and professional land surveyor shall have completed at least 27 CPC credits relating to the practices of professional engineering and professional land surveying. At least 12 of the 27 required credits shall have been completed in professional land surveying, and at least 12 shall have been completed in professional engineering, of which two shall have been in professional practice ethics. The remaining three credits may have been completed in either professional engineering or land surveying.

13:40-11.4 APPROVAL OF COURSE OFFERINGS

- a) A continuing competency provider may receive approval for a continuing competency course or program pursuant to the provisions of N.J.A.C. 13:40-11.11 and 11.12. Prior to the offering of the course or program, the provider may apply for approval. However, the provider may apply also after the event to eliminate the need for individual licensees to apply under (b) below.
- b) A licensee seeking to take a course or program which the provider has not had pre-approved by the Board may apply to the Board for pre-approval or post-approval of the

course or program offering. The licensee shall submit information similar to that which is required to be supplied by course providers pursuant to N.J.A.C. 13:40-11.11 (b).

- c) The Board shall maintain a list of all approved programs and courses at the Board offices and shall furnish this information upon request.
- d) An individual, group or association seeking course or program approval may impose a reasonable differential in course or program fees based upon membership within a group or association. However, in no event shall a sponsoring individual, group or association completely exclude from the course or program any licensee who is not a member of the group or association.

13:40-11.5 CONTINUING COMPETENCY PROGRAMS AND OTHER SOURCES OF CONTINUING COMPETENCY CREDITS

- a) The Board shall grant credit for successful completion of the following, provided that the course or program meets the criteria of N.J.A.C. 13:40-11.11 and that any other source of credit directly and materially relates to the practice of land surveying:
 - 1) College courses;
 - 2) Continuing education courses;
 - 3) Correspondence, televised, videotaped and other short courses/tutorials;
 - 4) Seminars, in-house courses, workshops and technical programs at professional meetings and conferences;
 - 5) Teaching or instruction in (a)1, 2 and 4 above;
 - 6) Published papers, articles or books authored by the licensee; and
 - 7) A land surveying examination in another jurisdiction.

13:40-11.6 CREDIT CALCULATION

- a) Continuing professional competency credits will be granted as follows for each biennial renewal period:
 - 1) Successful completion of approved college level courses.

- i) Fifteen continuing professional competency credits for each semester hour credit awarded by the college or university, or 10 continuing professional competency credits for each quarter hour credit awarded by the college or university;
- 2) Successful completion of approved continuing education courses: one continuing professional competency credit for each contact hour of the course.
- 3) Successful completion of approved correspondence, televised, videotaped and other short courses/tutorials:
 - i) The amount of credit to be allowed for approved correspondence and individual study programs, including taped study programs, shall be recommended by the program provider based upon one-half the average completion time calculated by the provider after it has conducted appropriate "field tests." Although the program provider must make recommendations concerning the number of credit hours to be granted, the number of credit hours granted shall be determined by the Board; and
 - ii) Credit for approved correspondence and other individual study programs will be given only in the renewal period in which the course is completed with a successful final examination;
- 4) Active participation in and successful completion of approved seminars, in-house courses, workshops and technical programs at professional meetings and conferences: one continuing professional competency credit for each hour of attendance at an approved course. Credit will not be granted for courses that are less than one contact hour in duration. Completion of an entire course is required in order to receive any credit;
- 5) Teaching or instruction in (a)1, 2 or 4 above:
 - i) Service as an instructor or workshop leader: one continuing professional competency credit for each instructional hour;
 - ii) The instructor or workshop leader will be given no credit for subsequent sessions in the same year involving substantially identical subject matter, except that after one year has elapsed the Board may give one additional continuing professional competency credit for each instructional hour of service as an instructor or workshop leader for the initial presentation, provided the original material has been updated; and

- iii) The maximum credit given for service as an instructor or workshop leader may not exceed 50 percent of the required continuing professional competency credits for any biennial renewal period;
- 6) Authoring published papers, articles or books on technical surveying subjects that contribute to the professional competence of surveyors: one continuing professional competency credit may be requested for each hour of preparation time on a self-declaration basis, not to exceed a total of 25 percent of the biennial requirement. A copy of the publication shall be submitted to the Board with the request for credit; and
- 7) Successfully passing a land surveying examination in another jurisdiction: one continuing professional competency credit for each hour of examination. All parts of the examination must be passed to receive credit for any part. The maximum credit given for successfully passing a land surveying examination in another jurisdiction may not exceed three continuing professional competency credits for each biennial renewal period.

13:40-11.7 REPORTING AND DOCUMENTING OF CONTINUING PROFESSIONAL COMPETENCY CREDITS

- a) At the time of application for biennial professional land surveyor license renewal, licensees shall provide, on forms approved by the Board, a signed statement certifying that the required number of continuing professional competency credits have been completed. The statement shall include, where applicable, the following:
 - 1) The dates attended;
 - 2) Continuing professional competency credits claimed;
 - 3) The title of the course and a description of its content;
 - 4) The school, firm, or organization providing the course;
 - 5) The instructor; and
 - 6) The course location.
- b) Licensees shall maintain all evidence, as set forth in (e) below, of completion of continuing professional competency credit requirements for two biennial periods after completion and shall submit such documentation to the Board upon request.

- c) Failure to maintain records or falsification of any information submitted with the renewal application may result in an appearance before the Board and, upon notice to the licensee and the opportunity for a hearing, penalties and/or suspension of the license.
- d) The Board will review the records of licensees from time to time, on a random basis, to determine compliance with continuing competency requirements.
- e) Documentation of continuing competency requirements shall consist of the following:
 - 1) A log showing the type of activity claimed, providing organization, location, duration, instructor's or speaker's name and credits claimed;
 - 2) Attendance verification records in the form of college transcripts, completion certificates, paid receipts, and any other documents supporting evidence of attendance;
 - 3) For publications, submission of the published article; and
 - 4) For teaching, a statement of appropriate authority verifying the activity.

13:40-11.8 WAIVER OF CONTINUING PROFESSIONAL COMPETENCY REQUIREMENT

- a) The Board may, in its discretion, waive, extend or otherwise modify continuing competency requirements on an individual basis for reasons of hardship, such as illness or disability, or other good cause.
- b) Any licensee seeking a waiver, extension or other modification of the continuing competency requirement shall apply to the Board in writing 90 days prior to renewal of licensure and set forth with specificity the reasons for the request. The licensee shall also provide the Board with such additional information as it may reasonably request in support of the request.
- c) A new licensee by way of examination shall have all continuing competency requirements waived for the first renewal period.
- d) A new licensee by way of comity shall be responsible at the first biennial renewal for one continuing professional competency credit for each month since the New Jersey license was issued.

- e) A licensee serving on active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a calendar year shall have all continuing competency requirements waived for that year.

13:40-11.9 LICENSE RESTORATION

The failure on the part of a licensee to renew his or her biennial certificate as required shall not relieve such person of the responsibility to maintain professional competence. At the time of application for restoration, the licensee shall submit satisfactory proof to the Board that he or she has successfully completed all delinquent CPC credits. If the total credits required to become current exceeds 30, then 30 shall be the maximum number required. In the case of a person licensed as both a professional engineer and professional land surveyor, if the total credits required to become current exceeds 45, then 45 shall be the maximum number required. However, an additional 24 CPC credits (or 36 CPC credits in the case of a dual licensee) will still be required at the next biennial renewal. The credits required to become current shall not be counted towards the CPC credits required for the next biennial renewal.

13:40-11.10 OUT-OF-JURISDICTION RESIDENT

Licensees who are residents of jurisdictions other than New Jersey must meet the continuing professional competency requirements for their resident jurisdiction. The requirements for New Jersey will be deemed as satisfied when a licensee provides evidence as having met the requirements of his or her resident jurisdiction, provided the requirements are not less than 24 continuing professional competency credits per biennial renewal period. If the licensee resides in a jurisdiction that has no continuing professional competency requirements, the licensee must meet the requirements of New Jersey.

13:40-11.11 CRITERIA FOR CONTINUING COMPETENCY PROGRAMS

- a) A course of acceptable subject matter shall directly and materially relate to the practice of land surveying, shall have the purpose and objective to maintain, improve or expand skills and knowledge or enhance skills and knowledge in ethics and business practices related to the profession of land surveying, and shall be:
 - 1) A formal course of learning which contributes directly to the maintenance of professional competence of a licensee;
 - 2) At least one instructional hour in duration; and

- 3) Conducted by a qualified instructor or workshop leader.
- b) A program provider or a licensee seeking Board approval for a course of acceptable subject matter shall submit the following to the Board:
 - 1) The program provider fee (for providers) or program review fee (for licensees) as set forth in N.J.A.C. 13:40-6.1; and
 - 2) Information to document the elements of (a) above, in writing and on a form provided by the Board, including, but not limited to:
 - i) A detailed description of course content and estimated hours of instruction; and
 - ii) The curriculum vitae of the lecturer, including specific background which qualifies the individual as a lecturer of repute in the area of instruction.
- c) Courses which meet the requirements set forth in (a) above shall be approved for continuing competency credit if taught by:
 - 1) Undergraduate, post-graduate or adjunct instructors from accredited educational institutions with five years of experience in the lecture subject. The curriculum vitae must reflect the instructor's status and experience;
 - 2) Recognized authorities in the specific subject areas with five years of experience in the lecture subject whose expertise is documented and approved by the Board;
 - 3) Licensees with five years experience in specific subject areas whose expertise is documented and approved by the Board; or
 - 4) Any of the above with less than five years experience who submit curriculum vitae, and are evaluated and approved by the Board on a case-by-case basis.

13:40-11.12 RESPONSIBILITIES OF PROGRAM PROVIDERS

- a) Program providers shall:
 - 1) Select and assign qualified instructors for the program;
 - 2) Assure that the number of participants and the physical facilities are consistent with the teaching methods to be utilized;

- 3) Disclose in advance to prospective participants, the course objectives, prerequisites, experience level, content, required advanced preparation, teaching method and number of continuing professional competency credits or contact hours involved in the program;
- 4) Solicit evaluations from both the participants and the instructor at the conclusion of each program. Evaluations may take the form of pre-tests for advanced preparation, post-tests for effectiveness of the program, questionnaires completed at the end of the program or later, oral feedback from participants to the instructor or provider or such other mechanism as may be appropriate to an effective evaluation. Programs should be evaluated to determine whether:
 - i) Objectives have been met;
 - ii) Prerequisites were necessary or desirable;
 - iii) Facilities were satisfactory;
 - iv) The instructor was effective;
 - v) Advanced preparation materials were satisfactory; and
 - vi) The program content was timely and effective;
- 5) Evaluate the performance of the instructors at the conclusion of each program to determine their suitability for continuing to serve as instructors and advise instructors of their performance;
- 6) Systematically review the evaluation process to ensure its effectiveness;
- 7) Furnish to each enrollee who has successfully completed the program a verification of completion, which shall include at least the following information:
 - i) The title, date and location of the course offering;
 - ii) The name and license number of the attendee;
 - iii) The number of credits awarded; and

- iv) The name and signature of officer or responsible party and seal of the organization;
 - 8) Maintain and retain accurate records of program attendance and completion for a six-year period;
 - 9) Retain a written outline of course materials for a six-year period; and
 - 10) Provide the Board with such documentation as requested by the Board.
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