



*An Online PDH Course
brought to you by
CEDengineering.com*

Ohio Code of Conduct for Professional Land Surveyors

Course No: OH2-005
Credit: 2 PDH

Gilbert Gedeon, P.E.



Continuing Education and Development, Inc.

P: (877) 322-5800
info@cedengineering.com

Table of Contents

Chapter 1: Overview of the Ohio Professional Land Surveying Ethics	1
Land Surveying Ethics	1
Ohio State Board of Licensure for Professional Engineers and Professional Surveyors	1
Ohio Statutory Authority	1
Ohio Administrative Code	2
Ohio Board Disciplinary Authority	2
Chapter 2: Ohio Code of Ethics for Professional Land Surveyors	3
2.1 4733-35-01: Preamble	3
2.2 4733-35-02: Integrity	3
2.3 4733-35-03: Responsibility to the Public	4
2.4 4733-35-04: Public Statements and Certifications	4
2.5 4733-35-05: Conflict of Interest	5
2.6 4733-35-06: Solicitation of Employment	5
2.7 4733-35-07: Improper Conduct	6
2.8 4733-35-08: Other Jurisdiction	6
2.9 4733-35-09: Records	6
Chapter 3: Ohio Disciplinary Actions: Laws and Rules	7
3.1 ORC §4733.02: Registration or Exemption	7
3.2 ORC §4733.20: Disciplinary Actions	7
3.3 OAC 4733-5-02: Procedural Rules	9
3.4 ORC §4733.22: Prohibited Acts	10
3.5 ORC §4733.99: Penalty	10
3.6 ORC §4733.23: Injunctions	10
3.7 ORC §4733.27: Effect of Child Support Default on Registration	11
3.8 ORC §4733.18(A)-(B): Temporary Registration – Exceptions	11
3.9 ORC §4733.16(D) and (G): Responsible Charge and Board Authority	12
3.10 ORC §4733.11(H): Surveyor Intern Certification Requirement	12
3.11 ORC §4733.14 Certificate of Registration - Seals	12
Chapter 4: Review of Disciplinary Cases	14
CASE 1: William Cutshaw, P.S.	14
CASE 2: CUB Survey Group, LLC	14
CASE 3: Edward Northrop, P.S.	14
Appendix A: References	15

Chapter 1

Overview of the Ohio Professional Land Surveying Ethics

Land Surveying Ethics

Land surveying ethics is (1) the study of moral issues and decisions confronting individuals and organizations involved in land surveying and (2) the study of related questions about moral conduct, character, ideals and relationships of peoples and organizations involved in professional land surveying practice (Martin and Schinzinger, *Ethics in Engineering*).

Ohio State Board of Registration for Professional Engineers and Surveyors

The Ohio State Board of Registration for Professional Engineers and Surveyors (Board) was created by the Ohio Legislature with the charge of safeguarding the life, health, property, and welfare of the public in the practice of engineering and surveying. The Board has the power to adopt bylaws and procedural rules, to adopt and promulgate a code of ethics binding on every registrant, and to investigate and discipline fraudulent, negligent, incompetent, or unethical practice. The Board reviews applications, administers examinations, licenses qualified applicants, and regulates the professional practice of registrants throughout the state. The Board consists of five members appointed by the Governor of Ohio, with the advice and consent of the Senate, for terms of five years: four professional engineers, at least one of whom is also a professional surveyor, and one professional surveyor.

Ohio Statutory Authority

The Ohio Revised Code (ORC) is a collection of state laws organized by subject area into a code made up of titles, chapters, and sections. Chapter 4733 of the Ohio Revised Code was enacted by the Ohio Legislature in the interest of public health and safety to regulate the practice of engineering and surveying in the State of Ohio. It is continuously updated by laws that create, amend, or repeal statutory material. Under this chapter, the Ohio State Board of Registration for Professional Engineers and Surveyors is responsible for reviewing applications, administering examinations, licensing qualified applicants, and regulating the practice of professional surveying throughout the state, and is granted the authority to discipline registrants and holders of a certificate of authorization for fraud, gross negligence, incompetency, misconduct, or violation of the chapter or the Board's rules. Selected provisions of Ohio Revised Code Chapter 4733 relevant to Board disciplinary authority, registration, and practice requirements are presented in Chapter 3 below.

Ohio Administrative Code

The Ohio Administrative Code (OAC) is a compilation of the rules and regulations of Ohio's regulatory agencies. It is organized by chapters, with each chapter representing a department, board, or other agency. Chapter 4733 of the Ohio Administrative Code, made under the authority of Ohio Revised Code Chapter 4733, states the Board's functions with respect to the practice of engineering and surveying, including its Code of Ethics for Engineers and Surveyors (Chapter 4733-35) and its Procedural Rules (Chapter 4733-5). These rules are continuously updated by the Board. The Ohio Code of Ethics is presented in Chapter 2 below, and selected provisions of the Board's Procedural Rules are presented in Chapter 3 below.

Ohio Board Disciplinary Authority

The Ohio State Board of Registration for Professional Engineers and Surveyors is charged with the duty of issuing certificates of registration to those professional surveyors it has determined to be qualified. Under Ohio Revised Code §4733.20, the Board may fine, revoke, suspend, refuse to renew, or limit a registration, or reprimand or place a registrant on probation, upon a finding of fraud or deceit in obtaining registration, gross negligence, incompetency, or misconduct in practice, aiding or abetting illegal practice, conviction of a felony or crime of moral turpitude, or violation of the chapter or the Board's rules. Any person may file a written complaint with the Board, which may investigate and, where cause is found, issue a written charge and afford the registrant the right to an adjudication hearing in accordance with Ohio Revised Code Chapter 119. The Board is not authorized to settle boundary line disputes, establish costs for services, correct miscalculations or errors in a survey of real property, or settle contractual disputes. These types of problems are civil matters and are usually settled between the parties involved either in or out of the courts. If wrongdoing by a registrant is proven in court, the Board would like to have certified copies of any orders issued to prevent the wrongdoing from happening again and to take other action as considered appropriate. Likewise, the Board has no powers of restitution, as these are reserved for the courts.

Selected disciplinary case studies illustrating violations of Ohio's ethics standards and disciplinary laws and rules for land surveyors are presented in Chapter 4 below.

Chapter 2

Ohio Code of Ethics for Professional Land Surveyors

Ohio Administrative Code, Chapter 4733-35: Code of Ethics for Engineers and Surveyors

The following are excerpts from the Code of Ethics for Engineers and Surveyors of the Ohio State Board of Registration for Professional Engineers and Surveyors, governing the professional conduct of engineers and surveyors in Ohio. If you wish to review the complete Ohio Administrative Code, Chapter 4733-35, please visit the website at:

<https://codes.ohio.gov/ohio-administrative-code/chapter-4733-35>

§4733-35-01: Preamble

In order to safeguard the life, health, property and welfare of the public and the state of Ohio, to maintain integrity and high standards of skills and practice in the professions of engineering and surveying, the following rules of professional conduct, promulgated in accordance with Chapter 4733. of the Revised Code, shall be binding upon every person holding a certificate of registration as a professional engineer or as a professional surveyor. The engineer or surveyor, who holds a certificate of registration from the Ohio state board of registration for professional engineers and surveyors, is charged with having knowledge of the existence of the reasonable rules and regulations hereinafter provided for his or her professional conduct as an engineer or surveyor, and also shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering, or of surveying, is a privilege, as opposed to a right, and the registrant shall be forthright and candid in statements or written responses to the board or its representatives on matters pertaining to professional conduct.

§4733-35-02: Integrity

The engineer or surveyor is obligated to act with complete integrity in professional matters for each client or employer as a faithful agent; shall be honest and impartial, and shall serve the public, client and employer with devotion.

§4733-35-03: Responsibility to the Public

The engineer or surveyor shall:

- (A) Protect the safety, health and welfare of the public in the performance of professional duties. Should the case arise where the engineer or surveyor faces a situation where the safety, health and welfare of the public is not protected, the engineer or surveyor shall:
 - (1) Sever the relationship with the employer or client;
 - (2) Refuse to accept responsibility for the design, report or statement involved;
 - (3) Notify the proper authority if, in his or her opinion, the situation is sufficiently important.
- (B) Undertake to perform assignments only when the registrant's consulting support are qualified by training and experience in the specific technical fields involved. In the event a question arises as to the competence of an engineer or surveyor to perform an engineering or surveying assignment in a specific technical field of engineering or surveying which cannot be otherwise resolved to the board's satisfaction, the board, either upon request of the engineer or surveyor or by its own volition, may require the engineer or surveyor to submit to an appropriate inquiry by or on behalf of the board;
- (C) Be completely objective in any professional report, statement or testimony and shall include all relevant and pertinent information in the report, statement or testimony when the result of omission would, or reasonably could, lead to a fallacious conclusion;
- (D) Express an opinion as a technical or expert witness before any court, commission or other tribunal, only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his or her testimony.

§4733-35-04: Public Statements and Certifications

- (A) The engineer or surveyor will issue no statements, criticisms or arguments on engineering or surveying matters connected with public policy which are inspired or paid for by an interested party, or parties, unless the engineer or surveyor has prefaced his or her remarks by explicitly identifying himself or herself, by disclosing the identities of the party, or parties, on whose behalf the engineer or surveyor is speaking, and by revealing the existence of any pecuniary interest he or she may have in the instant matters.
- (B) The engineer or surveyor will publicly express no opinion on an engineering or surveying subject unless it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his or her testimony.

(C) The engineer or surveyor shall decline to sign and/or seal any form of certification, warranty, or guaranty that

(1) Relates to matters beyond his or her technical competence,

(2) Involves matters which are beyond the scope of services for which he or she was retained, or

(3) Relates to engineering or surveying work for which he or she does not have personal professional knowledge and direct supervisory control and responsibility.

"Certification" shall mean a statement signed and/or sealed by an engineer or surveyor representing that the engineering or surveying services addressed therein have been performed, according to the engineer or surveyor's knowledge, information and belief, in accordance with commonly accepted procedures consistent with applicable standards of practice, and is not a guaranty or warranty, either expressed or implied.

§4733-35-05: Conflict of Interest

(A) The engineer or surveyor shall conscientiously avoid conflict of interest with the employer or client, but, when unavoidable, the engineer or surveyor shall forthwith disclose the circumstances to the employer or client.

(B) The engineer or surveyor shall promptly inform the client or employer of any business association, interests, or circumstances which could influence his or her judgment or the quality of services to the client or employer.

(C) The engineer or surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties or their duly authorized agents.

(D) The engineer or surveyor shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.

(E) The engineer or surveyor shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents or other parties dealing with his client or employer in connection with work for which he or she is responsible.

(F) As an elected, retained or employed public official, an engineer or a sSurveyor (in the capacity as a public official) shall not review or approve work that was performed by himself, or under his direction, on behalf of another employer or client.

§4733-35-06: Solicitation of Employment

(A) The engineer or surveyor shall not pay, solicit nor offer, directly or indirectly, any bribe or commission for professional employment with the exception of payment of the usual commission for securing salaried positions through licensed employment agencies.

(B) The engineer or surveyor shall seek professional employment on the basis of qualifications and competence for proper accomplishment of the work.

(C) The engineer or surveyor shall not falsify or permit misrepresentation of academic or professional qualifications and shall not misrepresent or exaggerate the degree of responsibility in or for the subject matter of prior assignments.

(D) Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint-ventures, or past accomplishments with the intent and purpose of enhancing qualifications and work.

§4733-35-07: Improper Conduct

(A) The engineer or surveyor shall not sign and/or seal professional work for which he or she does not have personal professional knowledge and direct supervisory control and responsibility. This is interpreted by the board to mean that an engineer or surveyor shall not sign and/or seal professional work unless that work was prepared under his/her supervision and direction. The engineer or surveyor shall be involved in the project and must be closely involved in the preparation of the work product.

(B) The engineer or surveyor shall not knowingly associate with, or permit the use of his or her name or firm name in, a business venture by any person or firm which he or she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

(C) If the engineer or surveyor has knowledge or reason to believe that another person or firm is guilty of violating any of the provisions of Chapter 4733. of the Revised Code, or any of these rules of professional conduct, he or she shall present this information to the board in writing.

(D) If a professional engineer or professional surveyor is found guilty of a felony or had his or her registration revoked or suspended by another jurisdiction, the professional engineer or professional surveyor shall notify the board in writing within sixty days.

§4733-35-08: Other Jurisdiction

Conviction of a felony without restoration of civil rights, or the revocation, voluntary surrender, or suspension of a professional engineer's or surveyor's license by another jurisdiction, if for a cause which in the state of Ohio would constitute a violation of Ohio Revised Code Chapter 4733 or of these rules, shall be grounds for a charge of violation of these rules.

§4733-35-09: Records

Each registrant or certificate of authorization holder shall keep a true and correct record in the English language of all of the business transactions in the registrant's or holder's office relevant to enforcement of Chapter 4733. of the Revised Code. Such records shall be available at all reasonable hours for inspection and copying by the Ohio state board of registration for professional engineers and surveyors.

Each registrant or licensee shall cooperate with the board in its investigation of complaints or possible violations of Chapter 4733. of the Revised Code. This cooperation shall include responding timely to written communications from the board, providing information or documents requested within thirty days of the date on which the communication was mailed, and appearing before the board or its designee upon request.

Chapter 3

Ohio Disciplinary Actions: Laws and Rules

Ohio Revised Code, Chapter 4733 and Ohio Administrative Code, Chapter 4733-5

The following are excerpts from the Revised Code and Administrative Code of the Ohio State Board of Registration for Professional Engineers and Surveyors, governing the professional conduct, disciplinary process, and registration requirements of engineers and surveyors in Ohio. If you wish to review the complete Ohio Revised Code, Chapter 4733, and Ohio Administrative Code, Chapter 4733-5, please visit the websites at:

<https://codes.ohio.gov/ohio-revised-code/chapter-4733>

<https://codes.ohio.gov/ohio-administrative-code/chapter-4733-5>

§ORC 4733.02: Registration or Exemption

Any person practicing or offering to practice the profession of engineering or of surveying shall be registered or exempted under this chapter. No person shall practice or offer to practice the profession of engineering or of surveying, or contract for such services, or use the initials P.E. or P.S. in connection with the person's name, or use in connection with the person's name or otherwise assume, use, or advertise any title or description tending to convey the impression that the person is a professional engineer or a professional surveyor, unless such person has been registered or exempted under this chapter.

§ORC 4733.20: Disciplinary Actions

(A) Except as provided in division (I) of this section, the state board of registration for professional engineers and surveyors may fine, revoke, suspend, refuse to renew, or limit the registration, or reprimand, place on probation, deny an applicant the opportunity to sit for an examination or to have an examination scored, or impose any combination of these disciplinary measures on any applicant or registrant, or revoke the certificate of authorization of any holder found to be or to have been engaged in any one or more of the following acts or practices:

- (1) Any fraud or deceit in obtaining registration or a certificate of authorization;
- (2) Any gross negligence, incompetency, or misconduct in the practice of professional engineering or professional surveying as a registered professional engineer or registered professional surveyor;
- (3) Aiding or abetting any person to practice professional engineering or professional surveying illegally in the state;
- (4) Conviction of or plea of guilty to any felony or crime involving moral turpitude;
- (5) Violation of this chapter or any rule adopted by the board;

- (6) Violation of any condition of limitation placed by the board upon the registration of any professional engineer or professional surveyor;
 - (7) Failure to abide by or comply with examination instructions.
- (B) The board shall cause to have prepared and shall adopt a code of ethics, which it shall make known to every registrant. The board may revise and amend this code of ethics from time to time in accordance with Chapter 119. of the Revised Code.
- (C) Any person may file with the board a complaint alleging fraud, deceit, gross negligence, incompetency, misconduct, or violation of this chapter or any rule adopted by the board pursuant to section 4733.07 of the Revised Code. Complaints shall be in writing.
- (D) The board may investigate any registrant or holder of a certificate of authorization to determine whether the registrant or certificate holder is or has been engaged in any one or more of the acts or practices listed in division (A) of this section. The board, by subpoena, may compel witnesses to appear and testify in relation to any investigation under this chapter and may require, by subpoena duces tecum, the production and copying of any book, paper, or document pertaining to an investigation. If a person fails to comply with the subpoena or subpoena duces tecum, the board may apply to the Franklin county court of common pleas for an order compelling the person to comply or, for the failure to do so, to be held in contempt of court.
- (E) If the board determines there is cause to believe that an applicant, registrant, or a holder of a certificate of authorization is or has been engaged in any act or practice listed in division (A) of this section, the board shall issue a written charge and notify the applicant, registrant, or certificate holder of the right to an adjudication hearing, in accordance with Chapter 119. of the Revised Code. If the accused applicant, registrant, or holder of a certificate of authorization fails or refuses to appear, or does not request a hearing within the time period specified in Chapter 119. of the Revised Code, the board may determine the validity of the charge and issue an adjudication order in accordance with Chapter 119. of the Revised Code.
- (F) Except as provided in division (I) of this section, if a majority of the board votes in favor of sustaining the charge, the board shall impose one or any combination of the following disciplinary measures:
- (1) Reprimanding the individual;
 - (2) Imposing a fine on the individual of not more than one thousand dollars for each offense committed by the individual;
 - (3) Refusing to renew, suspending, or revoking the individual's registration, or revoking the holder's certificate of authorization;
 - (4) Refusing to allow an applicant to take an examination;
 - (5) Refusing to score an applicant's examination.

The board, for good cause shown, may reregister any person or reissue a certificate of authorization to any corporation, firm, partnership, association, or limited liability company whose registration or certificate has been revoked or suspended.

- (G) Any applicant, registrant, or certificate holder aggrieved by any action of the board in fining the registrant or denying, suspending, refusing to renew, or revoking the registrant's registration or a certificate of authorization, or denying an applicant the opportunity to take an examination or to have an examination scored may appeal such action to the proper court under section 119.12 of the Revised Code.
- (H) A new certificate of authorization to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the board, upon payment of a fee established by the board at an amount adequate to cover the expense of issuing a duplicate certificate of authorization.
- (I) The board shall not refuse to issue a license or deny the opportunity to sit for an examination or to have an examination scored to an applicant because of a conviction of or plea of guilty to an offense, unless the refusal or denial is in accordance with section 9.79 of the Revised Code.

§OAC 4733-5-02: Procedural Rules

- (A) A notice and proposed agenda of each meeting of the board shall be sent to each member of the board, by the executive director, and shall be deemed full and proper notice thereof. A copy of the minutes of the previous meeting shall accompany the agenda for review prior to approval at the next meeting.
- (B) Any person may ascertain the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings by:
 - (1) Writing to the "The State Board of Registration for Professional Engineers and Surveyors" at the board's office address.
 - (2) Calling the following telephone number during normal business hours: (614) 466-3651.
 - (3) Any person may receive notice of all meetings of the board. The executive director shall maintain a list of all persons who have requested such notification.
- (C) Any representative of the news media may obtain notice of all special meetings by requesting in writing that such notice be provided. Such notice will only be given, however, to one representative of any particular publication or radio or television station.

The request shall provide the name of the individual media representative to be contacted, the mailing address and a maximum of two telephone numbers where the representative can be reached. The executive director shall maintain a list of all representatives of the news media who have requested notice of special meetings pursuant to this rule.

- (D) In the event of a special meeting not of an emergency nature, the executive director shall notify all media representatives on the list of such meeting by doing at least one of the following:
- (1) Sending written notice, which must be sent no later than four calendar days prior to the day of the special meeting;
 - (2) Notifying such representatives personally or by telephone no later than twenty-four hours prior to the special meeting; such telephone notice shall be complete if a message has been left for the representative.
- (E) In the event of a special meeting of an emergency nature, the executive director shall notify all media representatives on the list of such meeting by notifying the clerk of the state house press room. In such event, however, the notice need not be given twenty-four hours prior to the meeting but shall be given as soon as possible.
- (F) In giving the notices required by paragraph (C) of this rule the executive director may rely on assistance provided by any member or employee of the board and any such notice is complete if given by such member or employee in the manner provided in paragraph (C) of this rule.

§ORC §4733.22: Prohibited Acts

No person shall practice, or offer to practice, the profession of engineering or the profession of surveying without being registered or exempted in accordance with this chapter, or present or attempt to use as the person's own the registration, the certificate of authorization, or the seal of another, or give any false or forged evidence of any kind to the state board of registration for professional engineers and surveyors or to any member thereof in obtaining registration or a certificate of authorization, or falsely impersonate any other registrant or holder of a certificate of authorization of like or different name, or attempt to use an expired, suspended, or revoked registration or certificate of authorization, or otherwise violate this chapter.

§ORC §4733.99: Penalty

(A) Whoever violates section 4733.22 of the Revised Code shall be fined not less than one hundred nor more than five hundred dollars or imprisoned not more than ninety days, or both.

§ORC §4733.23: Injunctions

Except as otherwise provided in divisions (B), (C), and (D) of section 4733.18 of the Revised Code, no public authority, as defined in division (A) of section 153.65 of the Revised Code, shall accept or use any engineering or surveying plan prepared by any person not registered as a professional engineer or professional surveyor under this chapter. The state board of registration for professional engineers and surveyors is hereby authorized to apply for relief by injunction or restraining order to enjoin or restrain a person from the commission of any act which is prohibited by this chapter. The remedy provided by this section shall be in addition to any other remedy provided by law. The attorney general or the attorney general's designated assistant shall act as legal adviser of the board and render such legal assistance as may be necessary.

§ORC §4733.27: Effect of Child Support Default on Registration

On receipt of a notice pursuant to section 3123.43 of the Revised Code, the state board of registration for engineers and surveyors shall comply with sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code with respect to registration and certificates of authorization issued pursuant to this chapter.

§ORC 4733.18: Temporary Registration: Exceptions

- (A) The state board of registration for professional engineers and surveyors shall authorize a temporary registration for an individual who has filed with the board an application for a temporary registration and has paid the required fee in accordance with Chapter 4796. of the Revised Code. The temporary registration continues only for the time the board requires for consideration of the application for registration.
- (B) (1) The following persons are exempt from this chapter:
 - (a) An employee or a subordinate of a person registered under this chapter or an employee of a person holding temporary registration under division (A) of this section, provided the employee's or subordinate's duties do not include responsible charge of engineering or surveying work;
 - (b) Officers and employees of the government of the United States while engaged within this state in the practice of engineering or surveying, for that government;
 - (c) An engineer engaged solely as an officer of a privately owned public utility.
- (B) (2) This chapter does not require registration for the purpose of practicing professional engineering, or professional surveying by an individual, firm, or corporation on property owned or leased by that individual, firm, or corporation unless the same involves the public welfare or the safeguarding of life, health, or property, or for the performance of engineering or surveying which relates solely to the design or fabrication of manufactured products.
- (C) Nothing in this chapter prevents persons other than engineers from preparing plans, drawings, specifications, or data, from filing applications for building permits, or from obtaining those permits for residential buildings, as defined by section 3781.06 of the Revised Code, or buildings that are erected as one-, two-, or three-family units or structures within the meaning of the term "industrialized unit" as provided in section 3781.06 of the Revised Code.
- (D) Nothing in this chapter prevents persons other than engineers from preparing drawings or data, from filing applications for building permits, or from obtaining those permits for the installation of replacement equipment or systems that are similar in type or capacity to the equipment or systems being replaced, and for any improvement, alteration, repair, painting, decorating, or other modification of any buildings or structures subject to sections 3781.06 to 3781.18 and 3791.04 of the Revised Code where the building official determines that no plans or specifications are required for approval.

§ORC §4733.16(D) and (G): Responsible Charge and Board Authority

(D) Each firm, partnership, association, limited liability company, or corporation through which professional engineering or professional surveying services are offered or provided in this state shall designate one or more full-time partners, managers, members, officers, or directors as being responsible for and in responsible charge of the professional engineering or professional surveying activities and decisions, and those designated persons shall be registered in this state. Each firm, partnership, association, limited liability company, or corporation shall annually file with the state board of registration for professional engineers and surveyors the name and address of all owners and all persons designated as being in responsible charge of the professional engineering or professional surveying activities and decisions and any other information the board may require.

(G) Nothing in this section shall restrict or limit in any manner the authority or duty of the state board of registration for professional engineers and surveyors with respect to natural persons providing professional services or any law or rule pertaining to standards of professional conduct.

§ORC §4733.11(H): Surveyor Intern Certification Requirement

(H) The board shall give an applicant an appropriate certificate showing the applicant's status as an engineer intern or surveyor intern upon the occurrence of all of the following:

(1) The applicant provides proof to the board that the applicant has passed the fundamentals examination as described in division (A) of section 4733.13 of the Revised Code.

(2) The board believes the applicant meets the requirements of this chapter based on verified evidence.

(3) The applicant applies for registration in accordance with the requirements of this chapter.

(4) The applicant pays the fee required pursuant to section 4733.12 of the Revised Code.

Each applicant applying for registration as a professional engineer or professional surveyor shall first be certified as an engineer intern or surveyor intern in this state.

§ORC §4733.14 Certificate of Registration - Seals

The state board of registration for professional engineers and surveyors shall, upon payment of the registration fee, register and issue a certificate showing initial registration of an applicant who, in the opinion of the board, has satisfactorily met all the requirements of this chapter. In the case of a registered professional engineer, the certificate shall authorize the practice of "professional engineering," and in the case of a registered professional surveyor, the certificate shall authorize the practice of "professional surveying." Certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by the chairperson and the secretary of the board under seal of the board.

Registration by the board shall be evidence that the person named therein is entitled to all the rights and privileges of a registered professional engineer, or of a registered professional surveyor, while the registration remains unrevoked or unexpired.

Each registrant may, upon completing registration, obtain a seal of the design authorized by the board, bearing the registrant's name and the legend, "registered professional engineer," or "registered professional surveyor," provided, however, that any registered surveyor's seal obtained prior to the amendment of this section effective April 4, 1985, 140 Ohio Laws 4092, shall remain as a legal seal for any registrant who was registered as a "registered surveyor." Plans, specifications, plats, reports, and all other engineering or surveying work products issued by a registrant shall be stamped with the seal and be signed and dated by the registrant or bear a computer-generated seal and electronic signature and date, but no person shall stamp, seal, or sign any documents after the registration of the registrant named thereon has expired or the registration has been revoked or suspended, unless the registration has been renewed or reissued.

Chapter 4

Review of Disciplinary Cases

The following disciplinary cases were extracted from official Board meeting minutes and newsletters published by the New Mexico Board of Licensure for Professional Engineers and Surveyors. The selected cases involve professional land surveyors and illustrate different violations arising from the practice of land surveying in New Mexico.

CASE 1: William Cutshaw, P.S.

Case Review: Mr. Cutshaw, a resident of Batavia, Ohio, was charged with aiding and abetting the unlicensed practice of surveying by his own firm, Cutshaw Cartography & Survey, during a period when the firm did not hold a certificate of authorization. His conduct was found to violate Ohio Revised Code Sections 4733.20(A)(2), (3), and 4733.22.

Board Decision: To avoid further administrative action, Cutshaw entered into a settlement agreement approved at the August 25, 2026 board meeting, agreeing to pay a \$1,000.00 fine.

CASE 2: CUB Survey Group, LLC

Case Review: The Cleveland, Ohio firm was charged with three violations: providing surveying services while not meeting the requirements for holding a certificate of authorization; providing surveying services without a full-time partner, manager, member, officer, or director designated as responsible for and in responsible charge of the firm's surveying activities; and submitting certificate of authorization applications to the Board containing false information. These actions violated Ohio Revised Code Sections 4733.16 and 4733.22.

Board Decision: The firm entered into a settlement agreement, approved at the August 25, 2026 board meeting, agreeing to voluntarily surrender its certificate of authorization to provide surveying services in Ohio, in lieu of a formal disciplinary process.

CASE 3: Edward Northrop, P.S.

Case Review: Mr. Northrop, a resident of Butler, Pennsylvania, performed a survey that failed to comply with the Minimum Standards for Boundary Surveys set out in Ohio Administrative Code Chapter 4733-37. The Board charged him with violating Ohio Revised Code Section 4733.20(A)(2) and Ohio Administrative Code Sections 4733-37-03(A) and (C)(3).

Board Decision: Northrop entered into a settlement agreement, approved at the July 21, 2026 board meeting, agreeing to pay a \$2,000.00 fine.

Appendix A

References

Ohio Administrative Code. (n.d.). *Chapter 4733-35: Code of ethics for engineers and surveyors*. Ohio Laws. <https://codes.ohio.gov/ohio-administrative-code/chapter-4733-35>

Ohio Revised Code. (n.d.). *Chapter 4733: Professional engineers and surveyors*. Ohio Laws. <https://codes.ohio.gov/ohio-revised-code/chapter-4733>

Ohio Administrative Code. (n.d.). *Chapter 4733-5: Procedural rules*. Ohio Laws. <https://codes.ohio.gov/ohio-administrative-code/chapter-4733-5>

Ohio State Board of Registration for Professional Engineers and Surveyors. (2026, August 25). *State board accepts settlement agreements in 8 cases* [Press release]. <https://peps.ohio.gov/wps/wcm/connect/gov/79f55d43-7c3e-467f-8b3a-4c87f84f7d62/August+2026+Press+Release.pdf>

Ohio State Board of Registration for Professional Engineers and Surveyors. (2026, July 21). *State board accepts settlement agreements in 10 cases* [Press release]. <https://peps.ohio.gov/wps/wcm/connect/gov/1dde81ea-d95c-477f-b322-ffd8b2650643/July+2026+Press+Release.pdf>