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IDAPA 14 -

BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS

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IDAPA 14
TITLE 01
CHAPTER 01

IDAPA 14 - BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS

**14.01.01 - RULES OF PROCEDURE OF THE BOARD OF REGISTRATION
FOR PROFESSIONAL GEOLOGISTS**

000. (RESERVED)

001. TITLE AND SCOPE.

These rules shall be cited as IDAPA 14.01.01, "Rules of Procedure of the Board of Registration for Professional Geologists." These rules establish procedures for the organization and operation of the Board. (3-26-08)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of these rules, or to compliance with these rules. Any such documents are available for public inspection and copying at cost at the Board office. (3-26-08)

003. ADMINISTRATIVE APPEALS.

The Board shall hold hearings on disputed matters or complaints as provided for in the Act, in these rules, or in Title 67, Chapter 52, Idaho Code. The chairman, or a member of the Board appointed by the chairman, shall act as presiding officer at all hearings. Rules of procedure for the conduct of such hearings shall be in accordance with the applicable provisions of the Act, of these rules, and of Title 67, Chapter 52, Idaho Code. (3-26-08)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into these rules. (3-26-08)

005. OFFICE INFORMATION - OFFICE HOURS.

The office of the Board is located within the Bureau of Occupational Licenses, 700 W. State Street, Boise, Idaho 83702. The office is open from 8 a.m. to 5:00 p.m., each day except Saturdays, Sundays, and holidays. The telephone number of the office is (208) 334-3233. The fax number of the office is (208) 334-3945. The email address of the Board is geo@ibol.idaho.gov. The Board's official website can be found at www.ibol.idaho.gov. (3-26-08)

006. PUBLIC RECORDS ACT COMPLIANCE.

Board records are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. The rules contained herein have been promulgated according to the provisions of Title 67, Chapter 52, Idaho Code, and are public records. (3-26-08)

007. -- 009. (RESERVED)

010. DEFINITIONS.

For the purposes of these rules, the following definitions apply: (3-26-08)

01. Act. The legislation enacted by the First Regular Session of the Forty-first Legislature (Chapter 137, 1971 Session Laws), and compiled at Sections 54-2801, et seq., Idaho Code, providing for registration of professional geologists. (3-26-08)

02. Applicant. Any person who has made application for registration under the Act and who has neither been granted registration nor had the Application denied by the Board. (3-26-08)

03. Application. An Application consists of completed form or forms prescribed by the Board and all official transcripts, reference statements, and a signed code of ethics. (3-26-08)

04. Board. The Idaho Board of Registration for Professional Geologists as provided for in the Act.

(7-1-93)

05. Geologist-in-Training. The interim designation given to any person who has met the academic requirements and successfully passed the fundamental and academic geological portion of the professional examination but has not yet completed the requisite years of experience and passed the practices of geology examination as provided in the Act. The Geologist-in-Training designation is applicable for a period of ten (10) years from notification of the successful completion of the fundamentals of geology examination. If after ten (10) years the Geologist-in-Training has not met all requirements for registration as a professional geologist, the Geologist-in-Training certification is withdrawn and the Applicant must re-apply for registration. The possession of a Geologist-in-Training certificate by an Applicant does not entitle the Applicant to practice professional geology without supervision as provided in the Act. (3-26-08)

06. Registrant. Any person currently registered as a professional geologist under provisions of the Act. (7-1-93)

07. Responsible Position. A position wherein a person, having independent control, direction, or supervision of a geological project, investigates and interprets geologic features. (7-1-93)

011. -- 099. (RESERVED)

100. GENERAL PROVISIONS.

01. Filing of Documents. All correspondence, including remittances and renewal fees, shall be directed to the office of the Board. (3-26-08)

02. Meetings. The Board shall meet at least once each year at the call of the chairman; the Board shall elect a chairman and vice-chairman at such annual meeting. In addition to this annual meeting, the chairman may call special meetings from time to time when, in his opinion, it is deemed necessary, or upon the written request of any three (3) members of the Board. (4-9-09)

03. Officers. Officers elected from the Board shall be chairman and vice-chairman. (4-9-09)

a. The chairman shall be the executive head of the Board; shall, when present, preside at meetings; shall appoint committees; and shall perform all the duties pertaining to the office of chairman. (3-26-08)

b. The vice-chairman shall, in the absence or incapacity of the chairman, exercise the duties and possess all the powers of the chairman. (7-1-93)

04. Committees. Regular or special committees may be appointed by the chairman, as necessary, to perform special duties and shall present reports to the Board at the time specified or at the earliest regular or special meeting of the Board. (7-1-93)

05. Quorum. As provided in the Act, a quorum shall be at least three (3) members of the Board legally holding office at the time of meeting. Official business of the Board shall be conducted only at Board meetings with a quorum present. (7-1-93)

06. Certificates. Certificates of registration shall be issued to each Registrant, as prescribed by the Act, on forms adopted by the Board. Certificates shall be displayed by Registrants in their place of business. A new certificate may be issued by the Board, to replace one lost, destroyed or mutilated. Each certificate shall bear an individual number, as assigned to that particular Registrant by the Board, which number shall be included in the annual roster of Registrants prepared by the secretary. (7-1-93)

07. Seals. (7-1-93)

a. The official seal of the Board shall consist of a seal of the state of Idaho surrounded with the words "Board of Registration for Professional Geologists." (7-1-93)

b. The Board has adopted a similar seal for use by each registrant. The seal may be a rubber stamp, crimp, or electronically generated image. Whenever the seal is applied, the Registrant's signature and date shall also be included. If the signature is handwritten, it shall be adjacent to or across the seal. No further words or wording are required. A facsimile signature generated by any method will not be acceptable unless accompanied by a digital signature. SEE "APPENDIX A" AT END OF THIS CHAPTER. (3-26-08)

c. The seal, signature, and date shall be placed on all final specifications, reports, information, and calculations, whenever presented to a client or any public or governmental agency. Any such document presented to a client or public or governmental agency that is not final and does not contain a seal, signature, and date shall be clearly marked as "Preliminary," "Draft," "Not for Construction," or with similar words to distinguish the document from a final document. (3-26-08)

d. The seal, signature, and date shall be placed on all original documents. The application of the Registrant's seal, signature, and date shall constitute certification that the work thereon was done by him or under his supervision. Each plan or drawing sheet shall be sealed and signed by the Registrant or Registrants responsible for each sheet. In the case of a business entity, each plan or drawing sheet shall be sealed and signed by the Registrant or Registrants involved. The supervising professional geologist shall sign and seal the title or first sheet. Copies of electronically produced documents, listed in Paragraph 100.08.b. of these rules, distributed for informational uses such as for bidding purposes or working copies, may be issued with the Registrant's seal and a notice that the original document is on file with the Registrant's signature and date. The words "Original Signed By:" and "Date Original Signed:" shall be placed adjacent to or across the seal on the electronic original. The storage location of the original document shall also be provided. Only the title page of reports, specifications, and like documents need bear the seal, signature, and date of the Registrant. (3-26-08)

e. The seal and signature shall be used by Registrant only when the work being stamped was under the Registrant's supervision. (3-26-08)

08. Address Change. Each Applicant and Registrant shall notify the Board within sixty (60) days of any and all changes of address, giving both old and new address. (7-1-93)

09. Board Report. The Board shall publish on its website, among other things: (4-9-09)

a. Copy of the Act; (7-1-93)

b. Rules of the Board; (4-9-09)

c. Minutes of the meetings; (4-9-09)

d. Financial report; (4-9-09)

e. Roster of Registrants; and (4-9-09)

f. Code of ethics. (4-9-09)

101. -- 149. (RESERVED)

150. FEES.

The fees for registration under the Act shall be the following: (4-9-09)

01. Application. A non-refundable fee for application shall be one hundred dollars (\$100). (4-9-09)

02. Initial Certificate. The fee for the initial certificate shall be twenty dollars (\$20). (4-9-09)

03. Examination/Reexamination. The fee for the National examination is set at the current Association of State Boards of Geology (ASBOG) rate and is non-refundable. (4-9-09)

04. Annual Renewal Fee. Annual renewal fee shall be sixty dollars (\$60). (4-9-09)

05. Annual Renewal Fee for Registrants Seventy (70) Years of Age or Older. Annual renewal fee shall be one-half (1/2) of the current renewal fee for registrants seventy (70) years of age or older. (4-9-09)

06. Reinstatement Fee. Reinstatement fee shall be twenty-five dollars (\$25). (4-9-09)

07. Duplicate Certificate Fee. The fee for replacing a lost, destroyed, or mutilated certificate shall be twenty dollars (\$20). (4-9-09)

151. -- 159. (RESERVED)

160. RENEWAL OR REINSTATEMENT OF CERTIFICATE (RULE 160).

01. Expiration Date. All geologists certificates expire and must be renewed annually in accordance with Section 67-2614, Idaho Code. Certificates not so renewed will be cancelled. (4-9-09)

02. Reinstatement. Any certificate cancelled for failure to renew may be reinstated in accordance with Section 67-2614, Idaho Code. (4-9-09)

03. Cancelled Certificate. A certificate that has been cancelled for a period of more than five (5) years may be reinstated in accordance with Section 67-2614, Idaho Code. (4-9-09)

161. -- 199. (RESERVED)

200. APPLICATION PROCEDURES.

01. Applications. Applications for registration shall be: (7-1-93)

a. Filed on a form or forms prescribed by the Board and accompanied by official transcripts, reference statements, and a signed code of ethics (SEE "APPENDIX B" AT END OF THIS CHAPTER); (3-26-08)

b. Filed at the office of the Board, accompanied by the required Application fee; (3-26-08)

c. Received by the Board, if for registration by examination, not less than ninety (90) days prior to the date of examination; (4-9-09)

d. Subscribed and certified to by the Applicant under penalty of perjury as provided for by state law; and (7-1-93)

e. Applications not submitted in proper form, or which are incomplete, will not be accepted by the Board and will be returned to the Applicant by the secretary with a statement of the reason for return. (7-1-93)

02. Board Action. Upon evaluation of the Application by the Board, including receipt of statements from references, each Application will be: (7-1-93)

a. Approved and the Applicant notified in writing of such approval and the granting of registration; or (7-1-93)

b. Approved and the Applicant scheduled for examination for registration, and so notified in writing; or (7-1-93)

c. Denied with prejudice and the Applicant notified in writing by certified mail stating the reason for denial. In the event of denial of Application, the Application fee will be retained by the Board. (7-1-93)

03. Appeal. Upon notification by the Board that the Application has been denied or rejected, the Applicant, within thirty (30) days of receipt of such notice, may petition the Board for a hearing, under the provisions of Title 67, Chapter 52, Idaho Code. (3-26-08)

04. Dates. The date of application shall be the date it is delivered in person to the Board office or, if mailed, the date shown by post office cancellation mark. Qualifying education and experience of the Applicant, for examination and registration, shall be computed from the date of application as described above. (7-1-93)

05. References. Statements from personal references in Responsible Positions concerning the Applicant's technical ability and personal character, shall be received, as prescribed by the Act, prior to any action by the Board to approve an Application. Each statement must reflect in a positive way the technical and ethical merits of the Applicant. Applicants for the Fundamentals of Geology examination may fulfill this requirement with reference statements from geologists in Responsible Positions familiar with the ability and character of the Applicant as demonstrated in an academic setting. (3-26-08)

06. Abandonment. In the absence of special circumstances, the Board shall consider an Application abandoned when: (7-1-93)

a. The Applicant fails to submit the certificate fee within six (6) months after the date of the letter of notification of approval of registration; or (7-1-93)

b. The Applicant fails to appear for a scheduled examination without obtaining a postponement from the Board; or (7-1-93)

c. The Applicant, after two (2) such postponements, fails to appear for examination at the scheduled time. (7-1-93)

07. Abandonment - Application Fees. If, after abandonment of an Application, an Applicant wishes to reapply for registration, an entirely new Application shall be initiated and all previously paid Application fees shall be retained by the Board. (3-26-08)

201. -- 299. (RESERVED)

300. EXAMINATIONS.

01. Examination Required. Every Applicant for registration shall take and pass an examination as prescribed by the Board except as may be specifically exempted from such examination under the terms of the Act. (7-1-93)

02. Eligibility. The following shall be considered as minimum evidence that the Applicant is qualified to take the Principles and Practices of Geology Examination: (3-26-08)

a. Completion of thirty (30) semester units in courses in geological science leading to a degree in the geological sciences of which at least twenty-four (24) units are in third or fourth year, and/or graduate courses; and (7-1-93)

b. Have at least seven (7) years of professional geological work which shall include either a minimum of three (3) years of professional geological work under the supervision of a registered geologist, or, wherein the Applicant has been under the direct supervision of an individual acceptable to the Board, or, wherein the Applicant has demonstrated five (5) years of progressive experience in responsible charge of geological work that is acceptable to the Board. (7-1-93)

i. Each year of undergraduate study in the geological sciences shall count as one-half (1/2) year of training up to a maximum of two (2) years, and each year of graduate study or research counts as a year of training. (7-1-93)

ii. Teaching in the geological sciences at the college level shall be credited year for year toward meeting the requirement in this category, provided that the total annual teaching experience includes six (6) semester units of third or fourth year or graduate courses. (7-1-93)

iii. Credit for undergraduate study, graduate study, and teaching individually, or in any combination thereof, shall in no case exceed a total of four (4) years toward meeting the requirement for at least seven (7) years of professional geological work as set forth above. (7-1-93)

iv. The ability of the Applicant shall have been demonstrated by his having performed work in a Responsible Position, as the term is defined in Section 010 of these rules. (3-26-08)

v. The Applicant shall further be of good moral character and shall have filed a complete Application with the Board, accompanied by the required fee, as set forth in Subsection 100.06 of these rules. (3-26-08)

03. Authorization. (7-1-93)

a. After the Board evaluates the qualifications of an Applicant and establishes his eligibility for examination, the secretary shall notify the Applicant of eligibility and the dates of the next scheduled examinations for which his Application qualifies him. (3-13-02)

b. The secretary shall notify each Applicant in writing of the acceptance or rejection of his Application and, if rejected, the reason for the rejection. (3-26-08)

c. Not less than forty-five (45) days prior to the examination date, the candidate shall give written notice to the Board of his intent to take the examination and shall submit all applicable testing fees in full. (3-13-02)

d. Not less than thirty (30) days prior to the examination date, the secretary shall give written notice to each candidate that has previously given written notice and has paid his examination fees, of the date, time, and location(s) of the examination. (3-13-02)

04. Scope of Examination. The scope of the examination and the methods of procedure shall be prescribed by the Board with special reference to the Applicant's ability to supervise geologic projects as to insure the safety of life, health and property. The complete professional examination for registration as a professional geologist consists of two (2) separate written examinations. The first is the Fundamentals of Geology examination, covering subjects as are ordinarily given in college curricula. The second is the Principles and Practice of Geology examination which will cover the practice of geology and test the Applicant's fitness for such practice affecting the public health, safety and welfare. In addition, the examination shall meet all Americans with Disabilities Act requirements. (3-26-08)

05. Geologist-in-Training. An Applicant may be permitted to take the Fundamentals of Geology examination prior to his completion of the years of geologic experience required for registration, as provided for in the Act. Upon such satisfactory passage of the Fundamentals of Geology examination, the Board shall issue a certificate of completion for this portion of the complete professional examination - with designation of the Applicant as a Geologist-in-Training. Such certificate of completion shall constitute a credit toward the Applicant's complete professional examination for a period not to exceed ten (10) years. The Geologist-in-Training, upon completion of the required years of geologic experience for registration, may submit a record of such experience in a complete Application to the Board and, upon approval by the Board, be assigned to take the Principles and Practice examination. (3-26-08)

06. Reexamination. A candidate failing his first examination may apply for reexamination at the expiration of six (6) months without filing a new Application and shall be entitled to such reexamination on payment of the reexamination fee. A candidate who fails on reexamination must file a new Application before he can again be admitted to examination, and such new Application shall not be filed prior to one (1) year following the date of the last examination taken by the Applicant; provided, however, that it shall be unlawful for a candidate failing any examination to practice professional geology under the appropriate provisions of the Act. (3-13-02)

07. Time and Place. (7-1-93)

a. The regular written examination for registration as a professional geologist shall be conducted once or twice yearly. (3-13-02)

b. The secretary shall make all arrangements necessary to provide sufficient help to conduct examinations and to provide adequate facilities at such locations throughout the state as may be required to accommodate the number of Applicants to be examined. (7-1-93)

08. Examination Irregularities. (7-1-93)

a. Examinees are forbidden to receive any unauthorized assistance during the examination. Communication between examinees or possession of unauthorized matter or devices during the examination is strictly prohibited. (7-1-93)

b. Only scheduled examinees, Board members, the assistant secretary and authorized examination personnel shall be admitted to the examination room. (7-1-93)

09. Grading. (7-1-93)

a. As indicated in Subsection 300.04 of these rules, the entire professional examination for registration as a professional geologist consists of two (2) separate written examinations. These examinations are referred to as the (1) Fundamentals of Geology, and (2) Principles and Practice examinations. Licensure as a professional geologist requires successful passage, as defined in Paragraphs 300.09.b. and 300.09.c. of these rules, of both of these examinations. (3-26-08)

b. Every Applicant receiving an overall grade of seventy percent (70%) or more on the Fundamentals of Geology examination shall be deemed to have passed the examination, is thereby eligible to take the Principles and Practice examination, and will receive certification as a Geologist-in-Training, provided that the required fees have been paid. (3-13-02)

c. Every Applicant receiving a grade of seventy percent (70%) or more on the Principles and Practice examination shall be deemed to have passed such examination and will be registered as a professional geologist, provided that all of the required fees have been paid. (3-13-02)

d. Every Applicant receiving a grade of less than seventy percent (70%) on either the Fundamentals of Geology examination or the Principles and Practice examination, shall be deemed to have failed such examination. Every Applicant having failed shall have his Application denied without prejudice, but shall be allowed to retake the failed examination in accordance with Subsection 300.06 of these rules. (3-26-08)

10. Inspection of Examination. (7-1-93)

a. An Applicant who fails to obtain a passing grade in the written examination may inspect his examination papers at such times and locations as may be designated by the secretary. (3-26-08)

b. At the time of inspection, no one other than the examinee or his attorney and a representative of the Board shall have access to such examination papers. (7-1-93)

11. Examination Appeal. (7-1-93)

a. Within fifteen (15) days after the date notice of the results of the examination has been mailed to him, an Applicant who was unsuccessful in the examination may appeal, by petition, to the Board for a review of his examination papers. (3-26-08)

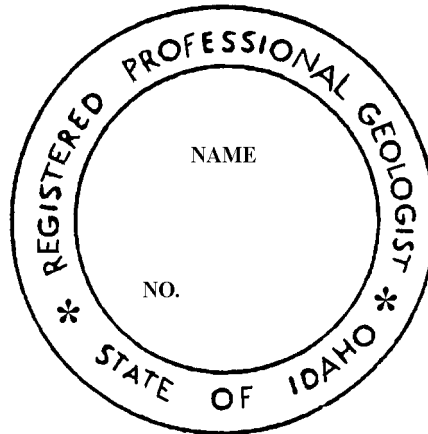
b. The petition for review shall be made in writing stating the reason for such appeal and citing the item or items against which the request is directed. (7-1-93)

c. The Board shall, upon receiving such petition for review, conduct a hearing in accordance with the applicable provisions of Title 67, Chapter 52, Idaho Code. (7-1-93)

12. Retention of Examinations. The Board shall retain examination results for at least one (1) year. (3-13-02)

301. -- 999. (RESERVED)

APPENDIX A -- REFERENCES FROM SECTION 14.01.01.100.08.b.



SEAL OF REGISTERED PROFESSIONAL GEOLOGIST

Diameter of Outer Ring: 1 1/2 Inches
Diameter of Inner Ring: 1 Inch

APPENDIX B -- REFERENCES FROM SUBSECTION 14.01.01.200.01.a.

**STATE OF IDAHO
BOARD OF REGISTRATION
FOR PROFESSIONAL GEOLOGISTS
CODE OF ETHICS**

Geology is a profession, and the privilege of professional practice requires morality and responsibility, as well as professional knowledge, on the part of each practitioner. Each registered professional geologist shall be guided by the highest standards of business ethics, personal honor and professional conduct.

With regard for the geologic profession and recognizing in the Code of Ethics a set of dynamic principles to guide his services to his fellow men, and with full knowledge of the responsibility of geologists to safeguard health, safety, and public welfare, a registered geologist:

1. Brings credit, honor and dignity to the geologic profession in his dealings with clients, other geologists, and the public.
2. Acts for his clients as a faithful agent or trustee and accepts remuneration only in accordance with his stated charges for services rendered.
3. Exchanges non-confidential geologic information with other geologists, students, and the public; encourages the public understanding of geology, and ensures proper credit for geologic work.
4. Does not reveal nor seek the revelation of geologic work performed for a paying client.
5. Does not advertise or solicit geologic work assignments in a fraudulent, misleading or deceptive manner.

6. Promptly reports to the Board unethical conduct on the part of any geologist.
7. Undertakes professional service or renders expert opinion only when qualified in the specific technical areas involved.
8. Function without prejudice with respect to gender, religion, national or ethnic origin, age, sexual preference, or physical or mental disability.

Acknowledged and subscribed to:

Signature of Applicant

Adopted by the Board September 11, 1971
Amended March 17, 2007.

Sign and return this form with your completed application forms.

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