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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 74, Chapter 1, 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. ASBOG. The National Association of State Boards of Geology. (3-25-16)

- 05. Board.** The Idaho Board of Registration for Professional Geologists as provided for in the Act. (7-1-93)
- 06. Geologist-in-Training.** The interim designation given to any person who has met the academic requirements and successfully passed the fundamentals of geology 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. (3-25-16)
- 07. Registrant.** Any person currently registered as a professional geologist under provisions of the Act. (7-1-93)
- 08. 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)
- 09. Responsible Charge.** Responsible charge means the control and direction of geology work, requiring initiative, professional skill, independent judgment, and professional knowledge of the content of relevant documents during their preparation. (3-20-14)
- 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 responsible charge. Upon sealing, Registrant takes full professional responsibility for that work. After-the-fact ratification by the sealing of documents relating to work that was not performed by the Registrant but by an unregistered subordinate or other unregistered individual and without thorough technical review throughout the project by the sealing Registrant is prohibited. (3-20-14)

f. In the event a Registrant in responsible charge of a project leaves employment, is transferred, is promoted, becomes incapacitated, dies, or is otherwise not available to seal, sign, and date final documents, the duty of responsible charge for the project shall be accomplished by successor Registrant by becoming familiar with and reviewing, in detail, and retaining the project documents to date. Subsequent work on the project must clearly and accurately reflect the successor Registrant's responsible charge. The successor Registrant shall seal, sign, and date all work product in conformance with Section 54-2815, Idaho Code. (3-20-14)

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 is as provided in Section 67-2614, Idaho Code. (3-24-16)
- 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; (7-1-93)
and
 - 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 with a statement of the reason for return. (3-25-16)
- 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)

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

c. Denied and the Applicant so notified in writing stating the reason for denial. In the event of denial of Application, the Application fee will be retained by the Board. (3-25-16)

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. Lack of Activity. If an applicant fails to respond to a Board request or an application has lacked activity for twelve (12) consecutive months, the application on file with the Board will be deemed denied and will be terminated upon a thirty (30) day written notice, unless good cause is demonstrated to the Board. (3-25-16)

201. -- 299. (RESERVED)

300. EXAMINATIONS.

Except as otherwise provided in statute, every Applicant for registration shall take and pass the complete professional examination for registration as a professional geologist. The complete professional examination consists of a written examination that covers subjects ordinarily contained in a college curriculum and a written examination that covers the practice of geology. (3-25-16)

01. Fundamentals of Geology. The written examination that covers subjects contained in a college curriculum is the Fundamentals of Geology examination provided by ASBOG. To be eligible to take the Fundamentals of Geology examination an Applicant must: (3-25-16)

a. File a complete Application as set forth in Subsection 200 of these rules, including providing the required references; and (3-25-16)

b. Submit the required fees, as set forth in Subsection 150 of these rules; and (3-25-16)

c. Have completed thirty (30) semester units or equivalent quarter 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. Applicants who can satisfy the Board that they will have completed the required coursework and number of units and will be graduating at the end of the spring, summer or fall terms of any given year, may be eligible for examination immediately preceding the date of graduation. (3-25-16)

02. Practice of Geology. The written examination that covers the practice of geology is the Practice of Geology examination provided by ASBOG. To be eligible to take the Practice of Geology examination an Applicant must: (3-25-16)

a. Have a complete Application on file with the Board; and (3-25-16)

b. Submit the required fee, as set forth in Subsection 150 of these rules; and (3-25-16)

- c. Have satisfied the education requirements as set forth in Section 54-2812, Idaho Code; and (3-25-16)
- d. Have satisfied the experience requirements as set forth in Section 54-2812, Idaho Code. (3-25-16)
- 03. Authorization.** (7-1-93)
- a. After the Board evaluates the qualifications of an Applicant and establishes his eligibility for examination, the Board shall notify the Applicant of eligibility and the dates of the next scheduled examinations for which his Application qualifies him. (3-25-16)
- b. The Board shall notify each Applicant in writing of the acceptance or rejection of his Application and, if rejected, the reason for the rejection. (3-25-16)
- c. Not less than ninety (90) days prior to the examination date, the Applicant shall give written notice to the Board of his intent to take the examination and shall submit all applicable testing fees in full. (3-25-16)
- d. Not less than thirty (30) days prior to the examination date, the Board shall give written notice to each Applicant that has previously given written notice and has paid his examination fees, of the date, time, and location(s) of the examination. (3-25-16)
- 04. Reexamination.** An Applicant failing his first examination may apply for reexamination without filing a new Application and shall be entitled to such reexamination on payment of the reexamination fee. An Applicant 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 an Applicant failing any examination to practice professional geology under the appropriate provisions of the Act. (3-25-16)
- 05. Time and Place.** (7-1-93)
- a. The regular written examinations for registration as a professional geologist shall be conducted upon the dates prescribed by ASBOG. (3-25-16)
- b. The Board 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. (3-25-16)
- 06. 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, and authorized examination personnel shall be admitted to the examination room. (3-25-16)
- 07. Scores.** An Applicant for registration by examination must successfully pass both the Fundamentals of Geology examination and the Practice of Geology examination. (3-25-16)
- a. Every Applicant receiving a scaled score of seventy (70) or more, as determined by ASBOG, on the Fundamentals of Geology examination shall be deemed to have passed the examination, is thereby eligible to receive certification as a Geologist-in-Training, provided that the required fees have been paid. (3-25-16)
- b. Every Applicant receiving a scaled score of seventy (70) or more, as determined by ASBOG, on the Practice of Geology 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. (3-25-16)

c. Every Applicant receiving a scaled score of less than seventy (70), as determined by ASBOG, on either the Fundamentals of Geology examination or the Practice of Geology 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 300.04 of these rules. (3-25-16)

08. Re-Score or Review of Examination. (3-25-16)

a. An Applicant who fails to obtain a passing grade in any portion of the written examination may request a rescore or review of his examination papers at such times, locations, and under such circumstances as may be designated by the Board, ASBOG, or both. (3-25-16)

b. When a review is requested and authorized, at the time of review, no one other than the examinee or his attorney and a representative of the Board shall have access to such examination papers. (3-25-16)

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

301. -- 399. (RESERVED)

400. GEOLOGIST IN TRAINING.

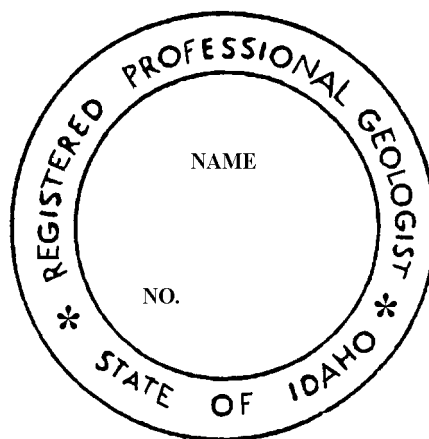
An Applicant who has passed the Fundamentals of Geology examination and satisfied the education requirements set forth in Subsection 300.01 of these rules, will receive a certificate of completion that designates the Applicant as a Geologist-in-Training. (3-25-16)

01. Supervised Practice. 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. (3-25-16)

02. Limitation. Designation as a Geologist in Training is limited to a period not to exceed ten (10) years. 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. (3-25-16)

401. -- 999. (RESERVED)

APPENDIX A -- AS REFERENCED IN SECTION 14.01.01.100.07.b.



SEAL OF REGISTERED PROFESSIONAL GEOLOGIST

Diameter of Outer Ring: 1 1/2 Inches

Diameter of Inner Ring: 1 Inch

APPENDIX B – AS REFERENCED IN 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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