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# A BILL FOR AN ACT

RELATING TO PROFESSIONS AND VOCATIONS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 464-1, Hawaii Revised Statutes, is  
2 amended by adding two new definitions to be appropriately  
3 inserted and to read as follows:  
4           "Land surveying" means any professional service or work  
5 which involves the application of specialized knowledge of the  
6 principles of mathematics, the physical and applied sciences,  
7 and the act of measuring, locating, establishing, or  
8 reestablishing lines, angles, elevations, natural and manmade  
9 features on the surface and immediate subsurface of the earth,  
10 or on the beds or surface of bodies of water, for the purpose of  
11 determining, establishing, describing, displaying, or  
12 interpreting the size, shape, topography, elevation datum  
13 planes, legal or geodetic location or relocation, or orientation  
14 of improved or unimproved real property and appurtenances  
15 thereto, including acreage. Land surveying includes but is not  
16 limited to:



- 1        (1) Evaluating and determining boundary evidence collected
- 2            through field surveys, boundary studies, or other
- 3            means;
- 4        (2) Using the principles of land surveying to:
- 5            (A) Determine the position for any monument or
- 6            reference point which marks a property line,
- 7            boundary corner, right-of-way, easement, or
- 8            alignment of those lines;
- 9            (B) Set, reset, recover, or replace any such monument
- 10           or reference point; or
- 11           (C) Perform topographical surveys;
- 12        (3) Giving an authoritative reference or interpretation as
- 13           to the location of a property line, boundary,
- 14           right-of-way, easement, or any related corner
- 15           position;
- 16        (4) Creating or modifying record plats for cadastral
- 17           surveys including consolidation, subdivision,
- 18           resubdivision, rights-of-way, easements, determination
- 19           of areas, mathematical closures, and elevations of
- 20           land parcels;
- 21        (5) Creating or modifying land surveying descriptions of
- 22           property lines and easements, or editing their content



1           for use in legal instruments that convey real property  
2           and property rights;

3           (6) Rendering a statement or certification regarding the  
4           positional accuracy of land surveying maps, record  
5           drawings, field surveys, or measured survey data;

6           (7) Creating or modifying the content of electronic data,  
7           computerized drawings, or any other survey map  
8           relative to the practice of land surveying; or

9           (8) Setting, resetting, or replacing initial survey  
10          control points, including benchmarks to provide  
11          horizontal and vertical data on or in the vicinity of  
12          a construction or engineering project to enable any  
13          components of the project to be built in compliance  
14          with plans and specifications with respect to the  
15          project location, orientation, elevation, and  
16          relationship to property lines, easements, or right-  
17          of-way boundaries.

18          This definition shall not apply to any person working  
19          within the scope of practice of another licensed profession;  
20          provided that the person does not purport to be a land surveyor.



1       "Professional surveyor", "professional land surveyor", or  
2       "land surveyor" means a person who holds oneself out as able to  
3       practice, or who does practice, land surveying in this State."

4       SECTION 2. Section 464-1, Hawaii Revised Statutes, is  
5       amended by amending the definition of "landscape architect" to  
6       read as follows:

7        "\"Landscape architect\" means a person who holds oneself out  
8       as able to perform, or who does perform, any professional  
9       services such as consultation, investigation, reconnaissance,  
10      research, design, preparation of drawings and specifications,  
11      and observation of construction where the dominant purpose of  
12      the services is:

13      (1) The preservation and enhancement of land uses and  
14      natural land features;

15      (2) The location and construction of aesthetically  
16      pleasing and functional approaches for structures,  
17      roadways, and walkways; and

18      (3) The design for equestrian trails, plantings, landscape  
19      irrigation, landscape lighting, and landscape grading.

20      This practice shall include the location, arrangement, and  
21      design of tangible objects and features as are incidental and  
22      necessary to the purposes outlined herein. Nothing herein shall



1 preclude a duly licensed landscape architect from planning the  
2 development of land areas and elements used thereon or from  
3 performing any of the services described in this section in  
4 connection with the settings, approaches, or environment for  
5 buildings, structures, or facilities; provided that nothing in  
6 this chapter shall empower a landscape architect licensed under  
7 this chapter from practicing or offering to practice  
8 architecture or engineering in any of its various recognized  
9 branches."

10 SECTION 3. Section 464-1, Hawaii Revised Statutes, is  
11 amended by deleting the definition of "surveyor" or "land  
12 surveyor".

13 [~~"Surveyor" or "land surveyor" means a person who holds  
14 oneself out as able to make, or who does make cadastral surveys  
15 of areas for their correct determination and description, either  
16 for conveyancing or for the establishment or reestablishment of  
17 land boundaries or the plotting of lands and subdivisions  
18 thereof."~~]

19 SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2112.



**Report Title:**

Land Surveying; Professional Land Surveyors; Landscape Architects

**Description:**

Clarifies the definition of "landscape architect". Replaces the existing definition of "surveyor" or "land surveyor" with definitions for "land surveying" and "professional surveyor", "professional land surveyor", or "land surveyor". Effective July 1, 2112. (SB2167 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

