

**Enrolled**  
**House Bill 2893**

Sponsored by Representative BARNHART (at the request of Mark Reed)

CHAPTER .....

AN ACT

Relating to practice of geology; amending ORS 672.505 and 672.525.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 672.505 is amended to read:

672.505. As used in ORS 672.505 to 672.705, unless the context requires otherwise:

(1) "Administrator" means the office as established by ORS 672.505 to 672.705.

(2) "Board" means State Board of Geologist Examiners.

(3) "Engineering geologist" means a person who applies geologic data, principles, and interpretation to naturally occurring materials so that geologic factors affecting planning, design, construction and maintenance of civil engineering works are properly recognized and utilized.

(4) "Geologist" means a person engaged in the practice of geology.

(5) "Geologist in training" means a person certified by the board as having passed an examination in the geologic subjects and having adequate academic training.

(6) "Geology" refers to that science which treats of the earth in general; investigation of the earth's crust and the rocks and other materials which compose it; and the applied science of utilizing knowledge of the earth and its constituent rocks, minerals, liquids, gases, and other materials for the benefit of [mankind] **humanity**.

[ (7) "Public practice of geology" means the performance of geological service or work for the general public. This includes consultation, investigation, surveys, evaluation, planning, mapping, and inspection of geological work, in which the performance is related to public welfare or safeguarding of life, health, property and the environment, except as specifically exempted by ORS 672.505 to 672.705. A person shall be construed to publicly practice or offer to publicly practice geology, within the meaning and intent of ORS 672.505 to 672.705, who practices any branch of the profession of geology; or who by verbal claim, sign, advertisement, letterhead, card, or in any other way purports to be a registered geologist, or through the use of some other title implies that the person is a registered geologist or that the person is registered under ORS 672.505 to 672.705; or who offers to provide any geological services or work recognized as geology for a fee or other compensation.]

**(7) "Public practice of geology" means the performance for another of geological service or work, such as consultation, investigation, surveys, evaluation, planning, mapping and inspection of geological work, that is related to public welfare or safeguarding of life, health, property and the environment, except as specifically exempted by ORS 672.505 to 672.705.**

(8) "Qualified nonregistered geologist" means a person who possesses all the qualifications specified in ORS 672.505 to 672.705 for registration except that the person is not registered in this state.

(9) "Registered certified specialty geologist" means a person who is certified as a specialty geologist under the provisions of ORS 672.505 to 672.705.

(10) "Registered geologist" means a person who is registered as a geologist under the provisions of ORS 672.505 to 672.705.

(11) "Responsible charge of work" means the independent control and direction of geological work by the use of initiative, skill, and independent judgment, or the supervision of such work.

(12) "Subordinate" means any person who assists a registered geologist in the practice of geology without assuming the responsible charge of work.

**SECTION 2.** ORS 672.525 is amended to read:

672.525. (1) No person, other than a registered geologist, a registered certified specialty geologist or a subordinate under the direction of either, shall provide or prepare for the public practice of geology any geologic maps, plans, reports, or documents except as specifically exempted in ORS 672.535.

(2) No person shall publicly practice or offer to publicly practice geology in this state, and use in connection with the name of the person or otherwise assume or advertise any title or description tending to convey the impression that the person is a **registered** geologist, unless such person has been registered or exempted under the provisions of ORS 672.505 to 672.705. The right to engage in the public practice of geology is deemed a personal right, based on the qualifications of the individual as evidenced by the certificate of registration, and shall not be transferable.

(3) No person other than a geologist registered under ORS 672.505 to 672.705 shall stamp or seal any plans, plats, reports, or other documents with the seal or stamp of a registered geologist or registered certified specialty geologist, or to use in any manner the title "geologist" or the title of any registered certified specialty geologist while conducting the public practice of geology unless registered or certified under ORS 672.505 to 672.705.

(4) No person shall sign, or stamp or seal any geologic maps, plans, plats, reports, or other geologic documents after the certification of the registrant named thereon has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.

(5) No person shall attempt to use the certificate of registration or seal of another, or falsely impersonate another registrant.

(6) No person shall give false or forged evidence of any kind to the State Board of Geologist Examiners to obtain a certificate of registration.

(7) No person, including a person registered as a geologist under this section, shall practice or offer to perform any activities of an engineering geologist as defined in ORS 672.505 unless the person is certified as an engineering geologist under ORS 672.565.

**(8) A person shall be construed to publicly practice or offer to publicly practice geology if the person:**

**(a) Publicly practices any branch of the profession of geology;**

**(b) By verbal claim, sign, advertisement, letterhead or card, or in any other way, purports to be a registered geologist, or through the use of some other title implies that the person is a registered geologist or that the person is registered under ORS 672.505 to 672.705; or**

**(c) Offers to provide any geological services or work recognized as the public practice of geology for a fee or other compensation.**

**(9) A person does not publicly practice or offer to publicly practice geology solely because the person testifies or prepares to testify in a public proceeding.**

**Passed by House May 5, 2003**

.....  
Chief Clerk of House

.....  
Speaker of House

**Passed by Senate May 28, 2003**

.....  
President of Senate

**Received by Governor:**

.....M,....., 2003

**Approved:**

.....M,....., 2003

.....  
Governor

**Filed in Office of Secretary of State:**

.....M,....., 2003

.....  
Secretary of State