

**WEST VIRGINIA  
SECRETARY OF STATE  
BETTY IRELAND  
ADMINISTRATIVE LAW DIVISION**

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SECRETARY OF STATE

Form #6

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: WV Board of Professional Surveyors TITLE NUMBER: 23

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 4

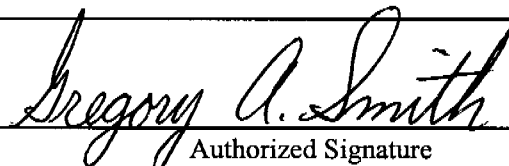
TITLE OF RULE BEING PROPOSED: Fees for Surveyors and Surveying Firms in West  
Virginia

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) SB 349

SECTION 64-9-14(b), PASSED ON March 8, 2008

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE  
FOLLOWING DATE: May 1, 2008

  
\_\_\_\_\_  
Authorized Signature  
Gregory A. Smith, Chairman

**TITLE 23  
LEGISLATIVE RULE  
BOARD OF PROFESSIONAL SURVEYORS**

**SERIES 4  
FEES FOR SURVEYORS AND SURVEYING FIRMS IN WEST VIRGINIA**

2008 APR 30 PM 3:28  
CLERK OF BOARD

**§23-4-1. General Information and Purpose**

1.1. Scope. This rule is promulgated by the Board of Professional Surveyors, hereinafter referred to as the Board or WVBPS, to establish fees payable to the Board for various services.

1.2. Authority. WV Code §30-13A-6

1.3. Filing Date. April 30, 2008

1.4. Effective Date. May 1, 2008

1.5. This rule applies to all applicants for licensure, all professional surveyors and all firms holding a certificate of authorization pursuant to §30-13A-1 et seq.

1.6. This legislative rule, together with legislative rules 23 CSR 1 "Examination and Licensing of Professional Surveyors in West Virginia" and 23 CSR 5 "Standards for the Practice of Surveying in West Virginia" repeals and replaces West Virginia 23 CSR 1 "Rules and Minimum Standards for Practice of Land Surveying in West Virginia" filed and effective June 6, 2005.

**§23-4-2. Definitions**

As used in this rule, the following terms have the following meanings unless the context or subject matter clearly requires a different interpretation:

2.1. "Application Fee" means a nonrefundable fee that is due at the time the initial application is submitted. Applications received without requisite fees are returned by the Board as incomplete.

2.2. "COA" means Certificate of Authorization.

2.3. "COA Late Fee" means a fee charged to a firm for renewal fees postmarked after the annual expiration date for each month or partial month that the COA renewal fee remains unpaid.

2.4. "Re-Notification Fee" means an administrative fee charged to a licensee for a subsequent demand or inquiry following a licensee's failure to respond to, or comply with, a communication, request, inquiry, or order from the Board.

2.5. "FS Exam" means the NCEES Fundamentals of Surveying Examination.

2.6. "NCEES" means the National Council of Examiners for Engineering and Surveying.

2.7. "PS" means a licensed Professional Surveyor who has met all of the examination and licensing requirements as set forth in 30-13A-1 et seq. and is an acronym used after the surveyor's name to indicate he or she is a licensed surveyor with the Board.

2.8. "PS Exam" means the NCEES Principles and Practice of Surveying Examination.

2.9. "PS License Renewal Late Fee" means a fee charged to the licensee for renewal fees postmarked after the annual expiration date for each month or partial month that the PS license renewal fee remains unpaid for up to thirty-six (36) months.

2.10. "Returned Check Fee" means an administrative fee for a payment made by a check that is returned due to insufficient funds, account closure or other failure to negotiate payment.

2.11. "WV Exam" means the state-specific West Virginia Professional Surveyors Examination developed by the Board.

### **§23-4-3. Payment of Fees**

3.1. All fees are payable to the West Virginia Board of Professional Surveyors. Fees shall be paid by check or money order, or credit card, if available.

3.2. All fees paid to the board are nonrefundable.

#### §23-4-4. Fee Schedule

4.1. The Board of Professional Surveyors hereby establishes the following schedule of fees for services rendered by the Board.

#### 4.2. Surveyor Intern (SI)

4.2.a. Application/Reapplication Fee	\$120.00
4.2.b. FS Examination/Reexamination Fee	As charged by NCEES

#### 4.3. Professional Surveyor (PS)

##### 4.3.a. Application/Reapplication Fees:

4.3.a.1. PS Application	\$200.00
4.3.a.2. WV Application	\$200.00
4.3.a.3. Endorsement Application	\$200.00
4.3.a.4. Special Supervision Application	\$200.00
4.3.a.5. Comity Application	\$200.00

##### 4.3.b. Examination/Reexamination Fees:

4.3.b.1. PS Exam	As charged by NCEES
4.3.b.2. WV Exam	\$150.00
4.3.b.3. Endorsement Exam	\$200.00

##### 4.3.c. Annual Renewal Fees:

4.3.c.1. PS License (Active or Inactive)	\$100.00
4.3.c.2. PS-Retired	No Charge
4.3.c.3. PS License Late Fee	20% per month or portion thereof
4.3.c.4. Special Supervision	\$200.00
4.3.c.5. Special Supervision Late Fee	20% per month or portion thereof

4.3.d. PS Replacement Certificate Fee	\$ 20.00
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#### 4.4. Certificate of Authorization Fees for Firms or Branch Offices

4.4.a. Application/Renewal Fees	\$100.00
4.4.b. COA Late Fee	20% per month or portion thereof

4.5. Administrative Fees and Other Costs

4.5.a. Re-Notification Fee	\$500.00 per occurrence
4.5.b. Archival Research	\$ 25.00 per hour
4.5.c. Continuing Education Media	\$100.00
4.5.d. Copy Charges:	
4.5.d.1. In-house Copies	\$ 0.50 per page
4.5.d.2. Large-scale Copies	As charged by Vender
4.5.e. Legal Expenses	As Charged by the AG's Office
4.5.f. Licensure Verifications (requested by another Board)	\$ 25.00
4.5.g. PS Roster for marketing purposes	\$250.00
4.5.h. Reprocessing Fee (illegible or incomplete applications)	\$ 50.00
4.5.i. Returned Check Fee	Maximum allowable by WV Code
4.5.j. WVBPS Members and Staff	Calculated Overhead Rate

**§23-4-5. Assessment of Costs in Disciplinary Actions**

5.1. Pursuant to W. Va. Code §30-1-8, the West Virginia Board of Professional Surveyors may assess, and require payment from, a licensee for reimbursement of the administrative expenses incurred by the Board in the course of disciplinary proceedings against the licensee. These expenses may include, but are not limited to, the costs of investigation, legal notices and other correspondence, legal fees, witness fees, court reporter fees and administrative time expended by the Board's members, staff, consultants or contractors.