
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 as follows:

3 1. By adding two new definitions to be appropriately
4 inserted and to read:

5 "Land surveying" means any professional service or work
6 that involves the application of specialized knowledge of the
7 principles of mathematics; the physical and applied sciences;
8 and the act of measuring, locating, establishing, or
9 reestablishing lines, angles, elevations, natural and manmade
10 features on the surface and immediate subsurface of the earth,
11 or on the beds or surfaces of bodies of water, for the purpose
12 of determining, establishing, describing, displaying, or
13 interpreting the size, shape, topography, elevation datum
14 planes, legal or geodetic location or relocation, or orientation
15 of improved or unimproved real property or appurtenances
16 thereto, including acreage. "Land surveying" includes:



- 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 that 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, right of
14 way, easement, or any related corner position;
- 15 (4) Creating or modifying record plats for cadastral
16 surveys, including consolidation, subdivision, re-
17 subdivision, rights of way, easements, determination
18 of areas, mathematical closures, and elevations of
19 land parcels;
- 20 (5) Creating or modifying land surveying descriptions of
21 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 2. By amending the definition of "landscape architect" to
5 read:

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

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

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

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

19 This practice shall include the location, arrangement, and
20 design of tangible objects and features as are incidental and
21 necessary to the purposes outlined herein. Nothing herein shall
22 preclude a duly licensed landscape architect from planning the



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

9 3. By deleting the definition of "surveyor" or "land
 10 surveyor".

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

17 SECTION 2. Statutory material to be repealed is bracketed
 18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.



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". (HB2272 HD2)

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