
A BILL FOR AN ACT

RELATING TO PROFESSIONAL LAND SURVEYORS.

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

1 SECTION 1. The legislature finds that Act 207, Session
2 Laws of Hawaii 2007, authorized the establishment of design
3 claims conciliation panels to protect design professionals
4 against frivolous lawsuits. Under chapter 672B, Hawaii Revised
5 Statutes, the definition of design professional includes a
6 professional engineer, architect, surveyor, or landscape
7 architect licensed under chapter 464, Hawaii Revised Statutes
8 (chapter 464).

9 The legislature further finds that under chapter 464, the
10 professional services provided by architects and professional
11 engineers involve the safeguarding of life, health, or property.
12 However, under chapter 464, the professional service provided by
13 a land surveyor does not. Rather, land surveyors are those who
14 practice land surveying, which is defined in part as involving
15 "the application of specialized knowledge of the principles of
16 mathematics, the physical and applied sciences, and the act of
17 measuring, locating, establishing, or reestablishing lines,



1 angles, elevations, [and] natural and manmade features on the
2 surface and immediate subsurface of the earth ... for the
3 purpose of determining ... [the] legal or geodetic location or
4 relocation, or orientation of improved or unimproved real
5 property...."

6 The purpose of this Act is to establish a statute of repose
7 for professional land surveyors by prohibiting the commencement
8 of a civil action if ten years has elapsed since the latter of
9 the completion of a contract or final payment for land surveying
10 work.

11 SECTION 2. Chapter 464, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§464- Professional land surveyors; contract; statute
15 of repose. No civil action shall be commenced against a
16 professional land surveyor if ten years has elapsed since the
17 latter of the date of completion of a contract or final payment
18 for professional land surveying work."

19 SECTION 3. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval.

21



H.B. NO. 124

INTRODUCED BY: David Carnas

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H.B. NO. 124

Report Title:

Professional Land Surveyors; Statute of Repose

Description:

Establishes a ten year statute of repose for land surveyors,
after which time a complaint for a civil action cannot be made.

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

