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AR - Arkansas Code Annotated **Title 17 Professions, Occupations, and
Businesses** **Subtitle 2. Nonmedical Professions** **Chapter 32 Geologists** **Subchapter 1 —
General Provisions**

17-32-101. Title.

This chapter shall be known and may be cited as the "Registration of Geologists Act of 1987".

History

Acts 1987, No. 470, § 1; 1987, No. 701, § 1.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 1 —
General Provisions**

17-32-102. Definitions.

As used in this chapter:

- (1)** "Board" means the State Board of Registration for Professional Geologists;
- (2)** "Geologist" means a person engaged in the practice of geology;
- (3)** "Geologist-in-training" means a person who meets all requirements for registration except length of experience and who has applied for and has been approved by the board for registration. Upon completion of his or her required length of experience and after review by the board, he or she may be granted the title of registered geologist;
- (4)** "Geology" means 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;
- (5)**
 - (A)** "Public practice of geology" means any professional service, work, or activity requiring formal geological education, training, and experience and the understanding and application of special knowledge of the mathematical, physical, and geological sciences as may be related to those services.
 - (B)** A person shall be construed to publicly practice geology or offer to publicly practice geology if that person:
 - (i)** Practices any branch of the profession of geology;
 - (ii)** By verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself or herself to be a geologist or, through the use of some other title, implies that he or she is a geologist;

(iii) Represents that he or she is registered under this chapter; or

(iv) Holds himself or herself out as able to perform or does perform any geological services or work recognized as geology.

(C) The board shall have authority to expand by rule the definition of public practice of geology, as provided in § 17-32-204;

(6) "Qualified geologist" means a person who is not registered under this chapter but who possesses all the qualifications specified in this chapter for registration;

(7) "Registered certified specialty geologist" means a person who is certified as a specialty geologist under this chapter;

(8) "Registered geologist" means a person who is registered as a geologist under this chapter;

(9) "Responsible charge of work" means the independent control and direction of geological work or the supervision of that work by the use of initiative, skill, and independent judgment; and

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

History

Acts 1987, No. 470, § 2; 1987, No. 701, § 2; 2005, No. 676, § 1.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 1 —
General Provisions**

17-32-103. Penalty.

(a) Any person who violates this chapter or who does any of the following shall be guilty of a Class B misdemeanor:

- (1)** Publicly practices or offers to publicly practice geology for others in this state without being registered in accordance with this chapter;
 - (2)** Presents or attempts to use as his or her own the certificate of registration or the seal of another;
 - (3)** Gives any false or forged evidence of any kind to the State Board of Registration for Professional Geologists or to any member of the board in obtaining a certificate of registration;
 - (4)** Falsely impersonates any other registrant of like or different name; or
 - (5)** Attempts to use an expired or revoked certificate of registration or attempts to practice at any time during a period when the board has suspended or revoked his or her certificate of registration.
- (b)** Any person who violates any provision of this chapter or any rule promulgated under this chapter shall be assessed a civil penalty by the board not to exceed two thousand dollars (\$2,000).
- (c)** Each day of any violation of this chapter shall constitute a separate offense.

History

Acts 1987, No. 470, § 27; 1987, No. 701, § 28; 2005, No. 676, § 2; 2005, No. 1994, § 398.

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General Provisions**

17-32-104. Legal and other assistance.

- (a) The Attorney General or one of his or her assistants shall act as legal adviser to the State Board of Registration for Professional Geologists and render legal assistance needed to implement and enforce the provisions of this chapter and the rules of the board.
- (b) The board may employ additional counsel with approval of the Attorney General and any other necessary assistance to aid in the enforcement of this chapter and the rules of the board.
- (c) The board may pay reasonable expenses incurred by the board for the administration of this chapter.

History

Acts 1987, No. 470, § 27; 1987, No. 701, § 28; 2005, No. 676, § 3; 2019, No. 315, § 1403.

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General Provisions**

17-32-105. Contracts with registered geologist only.

This state, its political subdivisions, and all public boards, districts, commissions, or authorities shall contract for geological services only with persons registered under this chapter or with a firm employing an Arkansas-registered geologist.

History

Acts 1987, No. 470, § 21; 1987, No. 701, 22.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 1 —
General Provisions**

17-32-106. Injunction — Liability of board.

(a)

(1) Upon proper determination that any person has violated the provisions of this chapter, the State Board of Registration for Professional Geologists may seek an injunction in the proper court of the county in which the violation occurred for the purpose of restraining or prohibiting a violation of this chapter.

(2) An injunction obtained pursuant to subdivision (a)(1) of this section shall be issued without bond.

(b) The members of the board acting in good faith may not be found personally liable for a proceeding commenced pursuant to this section.

History

Acts 2005, No. 676, § 4.

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AR - Arkansas Code Annotated Title 17 Professions, Occupations, and Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 2 — State Board of Registration for Professional Geologists

17-32-201. Creation — Members — Compensation.

(a)

(1) There is created the State Board of Registration for Professional Geologists.

(2) It shall be the duty of the board to administer this chapter and promulgate rules for registration of qualified geological applicants.

(3) The board shall comprise:

(A) Five (5) members who shall be registered geologists, one (1) of whom shall be an academic geologist, one (1) a governmental geologist, one (1) a salaried company geologist, one (1) an independent or consultant geologist, and one (1) a geologist-at-large;

(B) One (1) additional member who shall be appointed from the public at large and who shall have no connection whatsoever with the practice of geology; and

(C) The Director of the Arkansas Geological Survey, or his or her designated agent, as a permanent ex officio member.

(b) The members of the board shall be appointed by the Governor and confirmed by the Senate.

(c) Each member of the board shall be a citizen of the United States and shall have been a resident of this state for the two (2) years immediately preceding his or her appointment.

(d) The members shall serve five-year terms.

(e) No person shall serve as a member of the board for more than one (1) consecutive five-year term.

(f) The Governor may remove any member of the board for misconduct, incompetency, neglect of duty, or any other sufficient cause. Vacancies in the membership of the board shall be filled for the unexpired

term by appointment by the Governor.

(g) Before entering upon the discharge of their duty, the members of the board shall subscribe to and file with the Secretary of State the constitutional oath of officers, whereupon the Secretary of State shall issue to each appointee a certificate of appointment.

(h) The members of the board may receive expense reimbursement in accordance with § 25-16-901 et seq. Board members shall serve without compensation.

History

Acts 1987, No. 470, § 3; 1987, No. 701, § 3; 1997, No. 250, § 140; 2019, No. 315, § 1404; 2019, No. 910, § 5426.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 2 —
State Board of Registration for Professional Geologists**

17-32-202. Meeting — Notice.

(a) The State Board of Registration for Professional Geologists shall hold a meeting within thirty (30) days after appointment and thereafter shall hold at least two (2) regular meetings each year.

(b)

(1) An affirmative vote of a majority of a quorum present shall be necessary to transact business.

(2) The Chair of the State Board of Registration for Professional Geologists shall not vote unless there is a tie vote among the board members, in which case his or her vote will be allowed for a majority.

(c) Rules adopted by the board may provide for such additional regular meetings as necessary and for special meetings.

(d) Notice of all meetings shall be given as may be provided in the rules.

History

Acts 1987, No. 470, § 4; 1987, No. 701, § 4; 2019, No. 315, § 1405.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 2 —
State Board of Registration for Professional Geologists**

17-32-203. Officers — Temporary assistance.

(a) The State Board of Registration for Professional Geologists shall elect a chair, vice chair, and secretary-treasurer from among its members. Elections shall be held annually and on a basis in which the officers will serve for a period of one (1) year. The chair shall be rotated annually among the members.

(b) Administrative assistance, clerical work, and supplies will be provided by the Arkansas Geological Survey until such time as the board may assume those responsibilities.

History

Acts 1987, No. 470, § 4; 1987, No. 701, § 4.

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AR - Arkansas Code Annotated Title 17 Professions, Occupations, and Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 2 — State Board of Registration for Professional Geologists

17-32-204. Powers and duties generally.

In addition to other powers and duties specified in this chapter, the State Board of Registration for Professional Geologists shall:

- (1) Adopt, after notice and public hearing, modify, repeal, promulgate, and enforce rules reasonably necessary to:
 - (A) Implement or effectuate its powers and duties;
 - (B) Regulate proceedings before the board; and
 - (C) Define terms in this chapter that are otherwise undefined, including, but not limited to, the professional services, works, and activities that constitute the public practice of geology as defined in § 17-32-102;
- (2) Be subject to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.;
- (3) Adopt and have an official seal; and
- (4) Have such other powers and duties as are necessary to implement this chapter.

History

Acts 1987, No. 470, § 5; 1987, No. 701, § 5; 2005, No. 676, § 5; 2019, No. 315, § 1406.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 2 —
State Board of Registration for Professional Geologists**

17-32-205. Code of professional conduct.

(a)

(1) The State Board of Registration for Professional Geologists shall cause to have prepared and shall adopt a code of professional conduct which shall be made known in writing to every registrant and applicant for registration under this chapter and which shall be published in the roster provided for in this chapter.

(2) This publication shall constitute due notice to all registrants.

(b)

(1) The board may revise and amend this code of ethics from time to time.

(2) The board shall immediately notify each registrant in writing of any revisions or amendments.

History

Acts 1987, No. 470, § 9; 1987, No. 701, § 9.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 2 —
State Board of Registration for Professional Geologists**

17-32-206. Witnesses and documents — Subpoenas.

(a) In carrying into effect this chapter, the State Board of Registration for Professional Geologists or its hearing examiner may compel the attendance of witnesses and the production of such books, records, and papers as may be required. For this purpose, the board or the hearing examiner, at the request of any party or on its own initiative, may issue a subpoena for any witness or a subpoena to compel the production of any books, records, or papers.

(b) Subpoenas shall be issued and enforced in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

History

Acts 1987, No. 470, § 22; 1987, No. 701, § 23.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 2 —
State Board of Registration for Professional Geologists**

17-32-207. Official records and registers — Publication and accounting.

(a)

(1) The State Board of Registration for Professional Geologists shall keep a public record of its proceedings and a register of all applications for registration.

(2) The register shall show:

- (A)** The name, age, and residence of each applicant;
- (B)** The date of application;
- (C)** The place of business of the applicant;
- (D)** The applicant's education and other qualifications;
- (E)** Whether or not an examination was required;
- (F)** Whether the applicant was registered;
- (G)** Whether a certificate of registration was granted;
- (H)** The dates of the action by the board; and
- (I)** Such other information as may be deemed necessary by the board.

(b) All official records of the board, or affidavits by the Director of the State Board of Registration for Professional Geologists as to the content of such records, shall be prima facie evidence of all matters required to be kept therein.

(c)

(1) A complete roster showing the names, the classification, which will be geologist, specialty, or geologist-in-training, and the last known address of the registered geologists or certified geologists-in-

training shall be published by the director one (1) time each year or at such intervals as established by board rules.

(2) Copies of the roster shall be placed on file with the Secretary of State and county officials.

(3) Copies may be sent to cities requesting the information and may be distributed or sold to the public.

(d) At the end of the fiscal year, the board shall submit to the Secretary of the Department of Labor and Licensing and the General Assembly a complete statement of the receipts and expenditures of the board.

(e) The board records shall be subject to audit by Arkansas Legislative Audit.

History

Acts 1987, No. 470, § 8; 1987, No. 701, § 8; 2005, No. 676, § 6; 2019, No. 315, § 1407; 2019, No. 910, §§ 5427-5429.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 2 —
State Board of Registration for Professional Geologists**

17-32-208. Director of the State Board of Registration for Professional Geologists
— Indebtedness.

(a)

(1) The Director of the State Board of Registration for Professional Geologists shall receive and account for all moneys received in accordance with state law and the rules of the State Board of Registration for Professional Geologists.

(2) These moneys shall be deposited into a financial institution located in this state and shall be disbursed only by the director.

(b) The director shall receive such salary as the board in consultation with the Secretary of the Department of Labor and Licensing determines within the limits set forth by the General Assembly.

(c) The Department of Labor and Licensing shall employ assistants required to properly perform the board's work and shall make expenditures from this account for any purpose that, in the opinion of the board, is reasonably necessary to perform its duties under law and its rules.

(d) The board shall have no authority to incur indebtedness.

History

Acts 1987, No. 470, § 6; 1987, No. 701, § 6; 2019, No. 315, §§ 1408, 1409; 2019, No. 910, § 5430.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 —
Registration**

17-32-301. Unlawful actions.

- (a)** It shall be unlawful for any person to publicly practice or offer to publicly practice geology in this state or to use in connection with his or her name, or otherwise assume, or advertise, any title or description tending to convey the impression that he or she is a registered geologist unless the person has been registered or exempted under this chapter.
- (b)** The right to engage in the practice of geology shall be deemed a personal right, based on the qualifications of the individual as evidenced by his or her certificate of registration, and shall not be transferable.
- (c)** It shall be unlawful for any person other than a registered geologist, a registered certified specialty geologist, or a subordinate under the direction of one (1) of the above to prepare any geologic plans, reports, or documents in which the performance is related to the public welfare or safeguarding of life, health, property, or the environment.
- (d)** It shall be unlawful for anyone other than a geologist registered under this chapter to 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 "registered geologist" or the title "registered certified specialty geologist" unless registered and certified under this chapter.
- (e)** It shall be unlawful for any person to affix his or her signature or to stamp or seal any plans, plats, reports, or other 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.

History

Acts 1987, No. 470, §§ 10, 26; 1987, No. 701, §§ 10, 27.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 —
Registration**

17-32-302. Persons subject to provisions — Exemptions.

(a) Except as specifically exempted by this section, every person who shall publicly practice or offer to publicly practice geology in this state is subject to this chapter. The following persons are exempt:

(1) Persons engaged solely in teaching the science of geology or engaged in nonpublic geologic research in this state;

(2) Officers and employees of the United States or this state practicing solely as such officers or employees; and

(3) A subordinate to a geologist registered under this chapter, insofar as he or she acts solely in that capacity. This exemption, however, does not permit any subordinate to practice geology for others in his or her own right or to use the title of registered geologist.

(b)

(1)

(A) This chapter does not prohibit one (1) or more geologists from practicing through the medium of a sole proprietorship, partnership, or corporation.

(B) In a partnership or corporation whose primary activity consists of geological services, at least one (1) partner or officer shall be a registered geologist.

(2) This chapter does not prevent or prohibit an individual, firm, company, association, or corporation whose principal business is other than the public practice of geology from employing a nonregistered geologist to perform nonpublic geological services necessary to the conduct of its business.

(3) This chapter shall not be construed to prevent or to affect the following:

(A) The practice of any profession or trade for which a license is required under any other law of this state;

(B)

(i) The practice of geology or the offer to practice geology by a person not a resident of and having no established place of business in this state if the person is licensed or registered to practice the profession in another state where the requirements for a certificate of registration or license are not lower than those specified in this state for obtaining the registration required for the work.

(ii) The person shall apply in writing to the State Board of Registration for Professional Geologists and, after payment of a fee established by rule not to exceed six hundred dollars (\$600), may be granted a written permit for a prescribed period of time of less than one (1) year to perform a specific practice of geology.

(iii) No right to perform other practices of geology shall accrue to a person granted a written permit under this section;

(C) The practice by a person not a resident of and having no established place of business in this state or who has recently become a resident of this state practicing or offering to practice the profession of geology for more than ninety (90) days in any calendar year if the person has filed with the board an application for a certificate of registration and has paid the fee required by § 17-32-307. The practice shall continue only for such time as the board requires for the consideration of the applicant for registration; or

(D) The practice of registered professional engineers from lawfully practicing soil mechanics, foundation engineering, geotechnical engineering, hydrology as it pertains to the practice of engineering, and environmental engineering.

History

Acts 1987, No. 470, §§ 24, 25; 1987, No. 701, §§ 25, 26; 1991, No. 813, § 1; 2005, No. 676, § 7.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 —
Registration**

17-32-303. Application — Recommendations.

(a)

(1) An application for registration as a geologist, for a geologist-in-training certificate, or for certification in a specialty shall be made under oath and shall show the applicant's education and a detailed summary of his or her geologic work.

(2) The application shall be accompanied by the application fee prescribed by § 17-32-307.

(3) After examination of any dissertation, thesis, technical report, study, or other similar material required of any applicant for registration as a geologist or certification in a specialty, the State Board of Registration for Professional Geologists may return it to the applicant.

(b)

(1) The board shall require the applicant to provide the board with the names and addresses of three (3) qualified geologists who can attest to the experience and qualifications of the applicant and the names and addresses of two (2) people who can attest to the personal character and ethical practices of the applicant.

(2) The application shall not be processed until all required information is received.

History

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A.C.A. § 17-32-304

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AR - Arkansas Code Annotated Title 17 Professions, Occupations, and Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 — Registration

17-32-304. Minimum qualifications — Ability of applicant — Geologist-in-training certificate.

(a) To be eligible for a certificate of registration, an applicant shall meet each of the following minimum qualifications:

(1) [Repealed.]

(2) Have graduated from an accredited college or university with a major in either geology, engineering geology, geological engineering, or an earth science-related major that has been approved by the State Board of Registration for Professional Geologists; and

(3)

(A) Have at least seven (7) years of professional geological work which shall include either:

(i) A minimum of three (3) years of professional geological work under the supervision of a registered geologist, except that before July 20, 1987, professional geological work shall qualify under this subdivision (a)(3)(A) if it is under the supervision of a qualified geologist; or

(ii) A minimum of five (5) years of experience in responsible charge of geological work.

(B) The following criteria of education and experience qualify, as specified, toward accumulation of the required seven (7) years of professional geological work:

(i) Each year of undergraduate study in the geological sciences shall count as one-half (½) year of training up to a maximum of two (2) years, and each year of graduate study shall count as one (1) year of training;

(ii) Credit for undergraduate study, graduate study, and graduate courses, individually or in any

combination thereof, shall in no case exceed a total of four (4) years toward meeting the requirements

for at least seven (7) years of professional geological work as set forth in subdivision (a)(3)(A) of this section; and

(iii) In lieu of the professional geological work as set out in this section, the board may consider the cumulative total of professional geological work or geological research of persons teaching at the college or university level if the work or research can be demonstrated to be of a sufficiently responsible nature to be equivalent to the professional requirements of this chapter.

(b) The ability of the applicant shall have been demonstrated by:

(1) His or her having performed the work in a responsible position as determined by the board. The adequacy of the required supervision and experience shall be determined by the board in accordance with standards set forth in rules adopted by the board; and

(2) The successful passage of such examinations as are established by the board, except that in place of an examination, the board may find that the receiving of a degree in geologic science may be judged by the board as evidence of sufficient knowledge and skill to qualify for registration.

(c)

(1) The board may issue a geologist-in-training certificate to any applicant who meets all qualifications, including successful passage of the geological examination, except the required time of professional geological work.

(2) An applicant with a geologist-in-training certificate shall be awarded full registration upon presentation of:

(A) Proof that the required time of professional geologic work has been completed; and

(B) Names and addresses of three (3) qualified geologists and two (2) persons who can attest to the applicant's personal character and ethics.

History

Acts 1987, No. 470, § 12; 1987, No. 701, § 12; 1991, No. 1176, § 1; 2005, No. 676, § 8; 2019, No. 315, § 1410; 2019, No. 990, § 38.

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AR - Arkansas Code Annotated **Title 17 Professions, Occupations, and
Businesses** **Subtitle 2. Nonmedical Professions** **Chapter 32 Geologists** **Subchapter 3 —
Registration**

17-32-305. Examinations.

- (a) Examinations shall be held at least annually.
- (b) The State Board of Registration for Professional Geologists shall determine the scope, form, and content of the examinations.

History

Acts 1987, No. 470, § 13; 1987, No. 701, § 14.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 —
Registration**

17-32-306. Registration without examination.

A person holding a certificate of registration to engage in the practice of geology on the basis of comparable licensing requirements issued to him or her by a proper authority of a state, territory, or possession of the United States or the District of Columbia and who, in the opinion of the State Board of Registration for Professional Geologists, otherwise meets the requirements of this chapter may be registered upon application without further examination.

History

Acts 1987, No. 470, § 14; 1987, No. 701, § 15.

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AR - Arkansas Code Annotated Title 17 Professions, Occupations, and Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 — Registration

17-32-307. Fees — Renewal — Date of filing.

(a) The schedule of fees is as follows:

- (1) Application for registered geologist, twenty dollars (\$20.00);
- (2) Initial or comity registration, sixty dollars (\$60.00);
- (3) Geologist-in-training certificate, ten dollars (\$10.00);
- (4) Geologist-in-training certificate renewal fee, twenty dollars (\$20.00);
- (5) Geologist registration renewal fee, a maximum of sixty dollars (\$60.00) per year to be set by the State Board of Registration for Professional Geologists; and
- (6) Temporary work permit fee, a maximum of six hundred dollars (\$600) per occurrence to be set by the board.

(b) The registration shall expire on a date to be set by rule by the board.

(c) Late renewal applications submitted during a six-month penalty period following expiration must be accompanied by a fee equal to the renewal fee plus a fifty percent (50%) penalty fee.

(d)

(1) Registrations not renewed before the end of the six-month penalty period shall not be subject to renewal.

(2) Any consideration for registration reinstatement after the six-month penalty period shall be at the discretion of the board and requires submission of a reinstatement application with the required reinstatement fee of two (2) times the renewal fee.

(e) The date of the filing fee when transmitted through the mail shall be that date shown by the post

office cancellation mark appearing on the envelope containing the fee.

History

Acts 1987, No. 470, § 15; 1987, No. 701, § 16; 1991, No. 1176, § 2; 2005, No. 676, § 9.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 —
Registration**

17-32-308. Issuance of certificates of registration.

(a)

(1) Upon payment of the registration fee, the State Board of Registration for Professional Geologists shall issue a certificate of registration to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this chapter.

(2) Certificates of registration shall show the full name of the registrant, shall give a serial number, and shall be under seal of the board.

(b) The issuance of a certificate of registration by the board shall be prima facie evidence that the person named in the certificate is entitled to all the rights and privileges of a registered geologist while the certificate remains unrevoked or unexpired.

(c)

(1) All applications for renewal shall be filed with the Secretary-treasurer of the State Board of Registration for Professional Geologists before the expiration date, accompanied by the renewal fee.

(2) A license which has expired for failure to renew may only be restored after application and payment of the prescribed restoration fee.

(d) A new certificate of registration to replace any lost, destroyed, or mutilated certificate may be issued subject to the rules of the board and payment of a fee set by the board.

History

Acts 1987, No. 470, § 16; 1987, No. 701, § 17.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 —
Registration**

17-32-309. Certification in specialty.

(a) In addition to registering as a geologist, qualified persons may also be eligible for certification in a specialty. Specialties may be designated by the State Board of Registration for Professional Geologists by rule, with the rules to contain any required additional qualifications. Only a registered geologist is eligible for certification in a specialty. Application may be submitted for both registration as a geologist and certification in a specialty at the same time, but the applicant must be approved for registration as a geologist before being considered for certification in a specialty. The certification in a specialty is dependent, in every case, upon the approval of registration as a geologist.

(b) An applicant for certification in a specialty shall meet all of the requirements of a registered geologist and such other requirements as the board may establish by rule. In addition, his or her seven (7) years of professional geological work shall include one (1) of the following:

(1) A minimum of three (3) years performed under the supervision of a registered geologist who is certified in the specialty for which the applicant is seeking certification; or

(2) A minimum of five (5) years of experience in responsible charge of geological work in the specialty for which the applicant is seeking certification.

History

Acts 1987, No. 470, § 19; 1987, No. 701, § 20; 2019, No. 315, § 1411.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 —
Registration**

17-32-310. Seal authorized — Authentication of documents.

- (a) Each registrant under this chapter, upon issuance of a certificate of registration, may purchase from a source approved by the State Board of Registration for Professional Geologists a seal of such design as is authorized by the board, bearing the registrant's name, the name of this state, and the legend "Registered Professional Geologist" or "Certified (sub-specialty) Geologist".
- (b) All drawings, reports, or other geologic papers or documents involving the practice of geology which shall have been prepared or approved by a registered geologist, or a subordinate employee under his or her direction, for the use of or for delivery to any person, or for public record within this state, shall be signed by him or her and impressed with the seal provided for in this section or with the seal of a nonresident practicing under this chapter, either of which shall indicate his or her responsibility for them.

History

Acts 1987, No. 470, § 20; 1987, No. 701, § 21.

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AR - Arkansas Code Annotated Title 17 Professions, Occupations, and Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 — Registration

17-32-311. Denial, etc., of registration certificate — Grounds — Procedure.

(a) The State Board of Registration for Professional Geologists shall have the power to deny, suspend, revoke, or refuse to renew the certificate of registration of any registrant who is found to have been involved in:

- (1)** The practice of any fraud or deceit in obtaining a certificate of registration;
- (2)** Any gross negligence, incompetence, or misconduct in the practice of geology as a professional geologist;
- (3)** Any felony listed under § 17-3-102;
- (4)** Providing false testimony or information to the board;
- (5)** Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;
- (6)** Signing, affixing the professional geologist's seal, or permitting the professional geologist's seal or signature to be affixed to any specifications, reports, drawings, plans, design information, construction documents, calculations, or revisions that have not been prepared or completely checked by the professional geologist or prepared under the professional geologist's direct supervision or control;
- (7)** Failing to comply with this chapter or any of the rules pertaining to this chapter; or
- (8)** Aiding or assisting another person in violating any provision of this chapter or the rules pertaining to this chapter.

(b) Any action by the board in this regard shall be after a hearing held in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq. Any administrative or judicial review of the action

shall likewise be in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

History

Acts 1987, No. 470, § 17; 1987, No. 701, § 18; 2005, No. 676, § 10; 2019, No. 315, § 1412; 2019, No. 990, § 39.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 —
Registration**

17-32-312. Disciplinary action — Procedures.

(a) Any person may prefer charges of fraud, deceit, gross negligence, incompetence, or misconduct against any registrant or nonregistrant. The charges shall be:

- (1)** In writing;
 - (2)** Sworn to by the person or persons making them; and
 - (3)** Filed with the Secretary-treasurer of the State Board of Registration for Professional Geologists.
- (b)** Unless dismissed by the State Board of Registration for Professional Geologists as unfounded or trivial or settled informally, all charges shall be heard by the board within six (6) months after the date on which the charges were filed.

(c)

(1) The time and place for the hearings shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of the hearing, shall be personally served or mailed to the last known address of the accused individual holding a certificate of authorization at least twenty (20) days before the date fixed for the hearing.

(2) At any hearing, the accused individual shall have the right to appear in person or by counsel, or both, to cross-examine witnesses, and to produce evidence and witnesses in his or her defense.

(3) If the accused individual fails or refuses to appear, the board may proceed to hear and determine the validity of the charges.

(d) If after the hearing a majority of the board votes in favor of sustaining the charges, the board may:

- (1)** Reprimand the individual;

(2) Refuse to issue, restore, or renew a registrant's certificate of registration;

(3) Place a registrant on probation for a period of time; or

(4) Suspend or revoke a registrant's certificate of registration subject to conditions as the board may specify.

(e) A registrant or a nonregistrant aggrieved by any action of the board in levying a fine or denying, suspending, or revoking his or her certificate of registration or refusing to issue, restore, or renew his or her certificate of registration may seek administrative or judicial review in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(f)

(1) In addition to or in lieu of any action under subsection (d) of this section, a civil penalty under § 17-32-103 may be assessed in a proceeding conducted under this section.

(2) Unless the amount of the penalty is paid within fifty (50) days after the order becomes final, the order shall constitute a judgment and shall be filed and an execution issued in the manner as any other judgment of a court of record.

(g) Upon petition of a registrant, the board may reissue a certificate of registration upon the approval of a majority of the members of the board in favor of the reissuance.

History

Acts 1987, No. 470, § 23; 1987, No. 701, § 24; 2005, No. 676, § 11.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
Businesses Subtitle 2. Nonmedical Professions Chapter 32 Geologists Subchapter 3 —
Registration**

17-32-313. Reissuance of registration.

By majority vote of a quorum, the State Board of Registration for Professional Geologists may reissue a certificate of registration to any person whose certificate has been revoked, upon written application to the board by the applicant showing good cause to justify reissuance.

History

Acts 1987, No. 470, § 18; 1987, No. 701, § 19.

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**AR - Arkansas Code Annotated Title 17 Professions, Occupations, and
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Registration**

17-32-314. Filing and service.

All appeals from a decision of the State Board of Registration for Professional Geologists, all documents or applications required by law to be filed with the board, and any notice or legal process to be served upon the board shall be filed with or served upon the Secretary-treasurer of the State Board of Registration for Professional Geologists at his or her office.

History

Acts 1987, No. 470, § 7; 1987, No. 701, § 7.

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