

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
AT CHARLESTON
EXECUTIVE ORDER NO. 3-18

By the Governor

WHEREAS, over several decades the proliferation of administrative rules and regulations at all levels of government has increased the complexity and expense of economic life;

WHEREAS, outmoded, ineffective, excessively burdensome and unnecessary rules contained in the United States Code of Regulations and the West Virginia Code of State Rules (CSR) have created a heavy regulatory burden on West Virginians;

WHEREAS, continuing to reduce the heavy regulatory burden on West Virginians created by the CSR will promote citizens' freedom to lawfully engage in individual, family and business pursuits;

WHEREAS, Article VII, Section 5 of the West Virginia Constitution vests the executive power of the State of West Virginia in the Governor;

WHEREAS, the Governor's executive power may be exercised through Executive Orders;
and

WHEREAS, the CSR rule review known as a "Regulatory Review" established by this Executive Order will be an important part of the regulatory reform efforts by this administration.

NOW, THEREFORE, I, JIM JUSTICE, by the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** that:

1. This action shall be known as the "Regulatory Review".
2. All executive agencies with rule-making authority shall review all rules under each agencies' jurisdiction.

3. These rules shall be reviewed to determine which rules are outmoded, ineffective, excessively burdensome and unnecessary that have created a heavy regulatory burden on West Virginians.

4. These rule-making agencies shall submit a Regulatory Review report to the Governor and the Legislative-Rule Making Review Committee on or before November 1, 2018.

5. The Regulatory Review report submitted to the Governor and the Legislative- Rule Making Review Committee shall contain the following information regarding each rule under the agency's jurisdiction:

(a) a description of the rule to include the date of the first promulgation of the rule and any subsequent modifications;

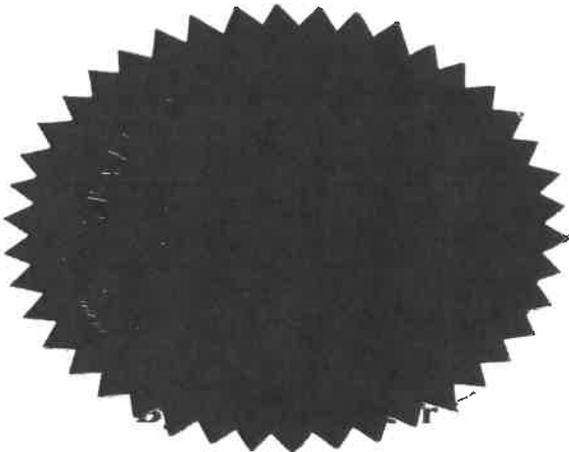
(b) a determination of whether the rule should be continued without change, be modified or repealed; and

(c) the reasoning for said determination.

6. All agencies shall cooperate with and provide assistance in the implementation of this Regulatory Review Executive Order to the fullest extent permitted by law.

7. This Regulatory Review Executive Order shall remain in effect until expressly modified or terminated by a subsequent Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol, in the City of Charleston, State of West Virginia, this tenth day of January, in the year of our Lord, Two Thousand Eighteen, an in the One Hundred Fifty-Fifth year of the State.


GOVERNOR


SECRETARY OF STATE

WV BOARD OF PROFESSIONAL SURVEYORS
BOARD OF EXAMINERS

REGULATORY REVIEW REPORT
DUE NOVEMBER 1,2018

LEGISLATIVE RULE
TITLE 23, SERIES 1 – GENERAL RULES OF THE BOARD (Examination and Licensing of
Professional Surveyors in West Virginia)

DESCRIPTION OF THE RULE:

This rule is promulgated by the Board of Professional Surveyors, hereinafter referred to as the Board or WVBPS, to govern licensing of Professional Surveyors in West Virginia (WV).

DATES OF RULE:

First promulgated - February 23, 1981
Modification dates - July 1, 1985
July 1, 1988
April 18, 1991
June 27, 2002
May 15, 2004
June 6, 2005
May 1, 2008
April 1, 2012
May 31, 2014

DETERMINATION OF THE RULE:

This rule should be continued without change.

REASON FOR THE DETERMINATION:

The Board has reviewed this rule and believes this rule is necessary to licensed professional surveyors in West Virginia and to implement the provisions of the WV Code Chapter 30 Article 13A.

WV BOARD OF PROFESSIONAL SURVEYORS
BOARD OF EXAMINERS

REGULATORY REVIEW REPORT
DUE NOVEMBER 1, 2018

LEGISLATIVE RULE
TITLE 23, SERIES 2 – GENERAL RULES OF THE BOARD (Mandatory Continuing Education for Land Surveyors)

DESCRIPTION OF THE RULE:

This rule specifies continuing education requirements that are prerequisite to license renewal for land surveyors.

DATES OF RULE:

First promulgated - October 4, 1969
Modification dates - June 4, 1976
June 27, 2002
July 1, 2004

DETERMINATION OF THE RULE:

This rule should be continued without change.

REASON FOR THE DETERMINATION:

The Board believes the rule is necessary as mandatory continuing education for land surveyors is a requirement of licensure and necessary to protect the public.

WV BOARD OF PROFESSIONAL SURVEYORS
BOARD OF EXAMINERS

REGULATORY REVIEW REPORT
DUE NOVEMBER 1,2018

PROCEDURAL RULE
TITLE 23, SERIES 3 – GENERAL RULES OF THE BOARD (Disciplinary and Complaint
Procedures for Professional Surveyors)

DESCRIPTION OF THE RULE:

This rule specifies a procedure for the investigation and resolution of complaints against land surveyors.

DATES OF RULE:

First promulgated - September 1, 2001

Modification dates - August 12, 2011

DETERMINATION OF THE RULE:

This rule should be continued without change.

REASON FOR THE DETERMINATION:

This procedural rule specifies a procedure for the investigation and resolution of complaints against land surveyors. The Board believes this rule is necessary, because it protects the public and provides due process for professional surveyors licensed or seeking licensure regarding misconduct.

WV BOARD OF PROFESSIONAL SURVEYORS
BOARD OF EXAMINERS

REGULATORY REVIEW REPORT
DUE NOVEMBER 1,2018

LEGISLATIVE RULE
TITLE 23, SERIES 4 – GENERAL RULES OF THE BOARD (Fees for Surveyors and Surveying
Firms in West Virginia)

DESCRIPTION OF THE RULE:

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.

DATES OF RULE:

First promulgated - May 1, 2008

DETERMINATION OF THE RULE:

This rule should be continued without change.

REASON FOR THE DETERMINATION:

The Board has determined the fees for surveyors and surveying firms in West Virginia is adequate in meeting the Board's operational needs.

WV BOARD OF PROFESSIONAL SURVEYORS
BOARD OF EXAMINERS

REGULATORY REVIEW REPORT
DUE NOVEMBER 1,2018

LEGISLATIVE RULE
TITLE 23, SERIES 5 – GENERAL RULES OF THE BOARD (Standards for the Practice of
Surveying in West Virginia)

DESCRIPTION OF THE RULE:

This rule is promulgated by the Board of Professional Surveyors, hereinafter referred to as the Board or WVBPS, to govern the practice of surveying in West Virginia (WV).

DATES OF RULE:

First promulgated - May 1, 2008

DETERMINATION OF THE RULE:

This rule should be continued without change.

REASON FOR THE DETERMINATION:

The Board believes this rule is necessary and should be continued without change for establishing standards of practice of surveying in West Virginia.