

# Fee Increase Rulemaking Docket

1. The proposed rule is to increase the fees pertaining to applying for licensing and renewals. The fee for applying for licensing will increase from \$70.00 to \$160.00. This fee includes the first three (3) years of the fees for the new licensee. The three (3) year renewal fee will increase from \$60.00 to \$150.00. Proposed rule is itemized below\*\*
2. Notice of Intent to Adopt a Rule – LSA Document #19-162.  
<http://www.in.gov/legislative/iac/20190320-IR-305190162NIA.xml.html>
3. Please send comments to:  
Todd A. Thompson  
Director and State Geologist, Indiana Geological Survey  
Chairman, Indiana Board of Licensure for Professional Geologists  
611 North Walnut Grove  
Bloomington, IN 47405  
(812) 855-7428  
[igsinfo@indiana.edu](mailto:igsinfo@indiana.edu)
4. Comments and the written response of the Indiana Board of Licensure for Professional Geologists may be inspected at:  
Indiana Geological and Water Survey  
420 N. Walnut St.  
Bloomington, IN 47404  
Room 201 – INBLPG Licensing Coordinator  
Monday – Thursday 8:00-4:30, Friday 8:00-2:00  
Written comments may be submitted until the end of the public hearing on the rule, scheduled for June 7, 2019.
5. Public hearing  
June 7, 2019 at 10:00 a.m.  
Indiana Geological and Water Survey  
420 N. Walnut St., Room 120  
Bloomington, IN 47404
6. **Estimated timetable for action. Can change if/when necessary.**  
(Estimated effective date will be January 1, 2020)  
[Geologist Notice.pdf](#) Notice of Intent to Adopt a Rule (LSA-19-162)  
[Geologists 2018-183 OMB Office Approval Letter.pdf](#) Approval Letter for OMB Office (LSA-19-162)  
[Geologist Proposed Rule.pdf](#) – Proposed Rule for Fee Increase (LSA-19-162)  
[Small Business Impact.pdf](#) – Small Business Impact (LSA-19-162)  
[Fiscal Impact Analysis.pdf](#) – Fiscal Impact Analysis (LSA-19-162)  
[Notice of Public Hearing.pdf](#) – Notice of Public Hearing (LSA-19-162)

**\*\*TITLE 305 INDIANA BOARD OF LICENSURE FOR PROFESSIONAL GEOLOGISTS**

Proposed Rule

LSA Document #19-162

Amends 305 IAC 1-3-1 concerning the fees for the application for geologist licensure. Amends 305 IAC 1-3-4 concerning the fee for the issuance of a renewal certificate. Effective 30 days after filing with the Publisher.

**305 IAC 1-3-1; 305 IAC 1-3-4**

SECTION 1. 305 IAC 1-3-1 IS AMENDED TO READ AS FOLLOWS:

**305 IAC 1-3-1 Application for geologist licensure**

**Authority: IC 25-17.6-3-12**

**Affected: IC 25-17.6**

Sec. 1. (a) A person seeking a new license must file with the survey an application completed under this section on a form approved by the board.

(b) Information that an applicant must provide in the application includes the following:

(1) Educational background at the undergraduate level and, if applicable, the graduate level. This background includes an official transcript of college credits.

(2) Professional geological work. A person who has taught geological science at the college level must provide information about the level course or courses and the number of hours taught during each semester.

(3) Affiliations with any scientific and technical society, including the grade of membership and whether the applicant is certified or registered by the society.

(4) References from three (3) persons in a geosciences profession attesting the applicant adheres to high professional and ethical standards.

(5) Any other information reasonably required to evaluate the applicant's character, knowledge of geology, and experience in application of the knowledge of geology.

(c) The application form shall be accompanied by a fee in the amount of ~~seventy dollars (\$70)~~ **one hundred sixty dollars (\$160)** by check, ~~or money order made payable to the "Indiana Geological or other means as determined by the Survey.~~ **or other means as determined by the Survey.** The application fee is nonrefundable.

(d) The application shall be filed with the survey at least thirty (30) days before the date on which the applicant seeks to have the application reviewed. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-3-1; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2216; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1619; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; readopted filed Jun 26, 2012, 11:03 a.m.: 20120725-IR-305120209RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

SECTION 2. 305 IAC 1-3-4 IS AMENDED TO READ AS FOLLOWS:

**305 IAC 1-3-4 Issuance of a renewal certificate**

**Authority: IC 25-17.6-3-12**

**Affected: IC 4-21.5-3-4; IC 25-17.6**

Sec. 4. A license expires three (3) years after the date of issuance. A request for renewal must be accompanied by a fee of ~~sixty dollars (\$60) in the form of a~~ **one hundred fifty dollars (\$150)** by check, ~~or money order payable to the "Indiana Geological or other means as determined by the Survey.~~ **or other means as determined by the Survey.** The renewal will be issued unless the board determines the applicant no longer

qualifies as a licensed professional geologist under IC 25-17.6 and this article. IC 4-21.5-3-4(d) applies to this subsection.

(b) The survey shall mail a renewal notice to each licensed professional geologist at least sixty (60) days before the expiration of the license. The notice shall be directed to the most recent mailing address provided to the survey by the licensed professional geologist.

(c) If the renewal fee is not paid when due, the license is invalidated. The name of the holder shall be deleted from future rosters of the licensed professional geologists unless:

(1) a late renewal fee of ~~seventy-five dollars (\$75)~~ **one hundred sixty-five dollars (\$165)** is paid by the applicant before the expiration of two (2) years from the date of its invalidation; or

(2) the certificate is reinstated by the board.

(d) If the renewal fee is not paid within two (2) consecutive years of the invalidation of a certificate, a person may seek reinstatement as a licensed professional geologist only upon successful completion of section 2 of this rule. *(Indiana Board of Licensure for Professional Geologists; 305 IAC 1-3-4; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2218; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1621; filed Sep 1, 2004, 2:45 p.m.: 28 IR 12; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; readopted filed Jun 26, 2012, 11:03 a.m.: 20120725-IR-305120209RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

## Geologist Licensure Law and Rules

### Current Laws:

In Indiana, the state laws or state statutes are codified in the **Indiana Code**. The specific laws that regulate the licensure of professional geologists in Indiana are found in IC 25-17.6, which may be viewed at the [Indiana Legislative Services Agency](#) Web site.

### IC 25-17.6 ARTICLE 17.6. PROFESSIONAL GEOLOGISTS

Ch. 1. Definitions

Ch. 2. Indiana Board of Licensure for Professional Geologists

Ch. 3. Duties and Powers of the Board

Ch. 4. Requirements for Certification

Ch. 5. Renewal of Certificates

Ch. 6. Use of Seal or Stamp by Geologist

Ch. 7. Exemptions From Certification Requirements

Ch. 8. Grounds for Action by the Board and Penalties

Ch. 9. Administrative Review and Judicial Review

#### IC 25-17.6-1 Chapter 1. Definitions

25-17.6-1-1 Application of definitions

25-17.6-1-2 "Board"

25-17.6-1-3 Repealed

25-17.6-1-4 Repealed

25-17.6-1-5 "Geologist"

25-17.6-1-6 "Geology"

25-17.6-1-6.3 "License"

25-17.6-1-6.5 "Licensed professional geologist"

25-17.6-1-7 "Public practice of geology"

25-17.6-1-8 "State geologist"

25-17.6-1-9 "Survey"

**IC 25-17.6-1-1 Application of definitions**

Sec. 1. The definitions in this chapter apply throughout this article.

*As added by P.L.161-1996, SEC.2.*

**IC 25-17.6-1-2 "Board"**

Sec. 2. "Board" refers to the Indiana board of licensure for professional geologists established in IC 25-17.6-2.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.2.*

**IC 25-17.6-1-3 Repealed**

*As added by P.L.161-1996, SEC.2. Repealed by P.L.17-1999, SEC.35.*

**IC 25-17.6-1-4 Repealed**

*As added by P.L.161-1996, SEC.2. Repealed by P.L.17-1999, SEC.35.*

**IC 25-17.6-1-5 "Geologist"**

Sec. 5. "Geologist" means a person who is qualified by the person's knowledge of the principles of geology acquired by:

(1) professional education; and

(2) practical experience.

*As added by P.L.161-1996, SEC.2.*

**IC 25-17.6-1-6 "Geology"**

Sec. 6. "Geology" means a science that has the following characteristics:

(1) Treats the earth as a whole.

(2) Includes the:

(A) investigation;

(B) analysis;

(C) classification; and

(D) location;

of the rocks and other materials that compose the earth's crust, as they relate to geologic processes.

(3) Involves the study of:

(A) minerals, gases, and liquids composing and contained within the earth's crust; and

(B) geologic materials and processes.

*As added by P.L.161-1996, SEC.2.*

**IC 25-17.6-1-6.3 "License"**

Sec. 6.3. "License" means a document issued by the board to permit a person to engage in an activity regulated under this article.

*As added by P.L.17-1999, SEC.3.*

**IC 25-17.6-1-6.5 "Licensed professional geologist"**

Sec. 6.5. "Licensed professional geologist" means a person who is licensed as a geologist under this article.

*As added by P.L.17-1999, SEC.4.*

**IC 25-17.6-1-7 "Public practice of geology"**

Sec. 7. (a) "Public practice of geology" means the performance of service to the public in connection with the geological description, location, or evaluation of:

(1) geological materials, liquids, and gases; and

(2) the natural processes acting upon them.

(b) The term includes geological:

(1) consulting;

(2) investigating;

(3) evaluating;

(4) designing; and

(5) planning.

*As added by P.L.161-1996, SEC.2.*

**IC 25-17.6-1-8 "State geologist"**

Sec. 8. "State geologist" means the person in charge of the Indiana geological and water survey established by IC 21-47-2.

*As added by P.L.161-1996, SEC.2. Amended by P.L.2-2007, SEC.323; P.L.233-2017, SEC.32.*

**IC 25-17.6-1-9 "Survey"**

Sec. 9. "Survey" refers to the Indiana geological and water survey established by IC 21-47-2.

*As added by P.L.161-1996, SEC.2. Amended by P.L.2-2007, SEC.324; P.L.233-2017, SEC.33.*

## **IC 25-17.6-2 Chapter 2. Indiana Board of Licensure for Professional Geologists**

25-17.6-2-1 Establishment; administration

25-17.6-2-2 Qualification

25-17.6-2-3 Members

25-17.6-2-4 Terms

25-17.6-2-5 Removal; vacancy

25-17.6-2-6 Quorum

25-17.6-2-7 Immunity from civil liability

25-17.6-2-8 Chairman; secretary

25-17.6-2-9 Appointment

25-17.6-2-10 Reimbursement of expenses

### **IC 25-17.6-2-1 Establishment; administration**

Sec. 1. (a) The Indiana board of licensure for professional geologists is established.

(b) The board shall administer this article.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.5.*

### **IC 25-17.6-2-2 Qualification**

Sec. 2. Each member of the board shall be:

(1) a resident of Indiana; and

(2) appointed by the governor, with the exception of the state geologist.

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-2-3 Members**

Sec. 3. The board shall consist of the following members:

(1) The state geologist.

(2) Three (3) members who are licensed professional geologists.

(3) One (1) member who represents the public at large.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.6.*

### **IC 25-17.6-2-4 Terms**

Sec. 4. (a) Each board member shall serve a term of four (4) years.

(b) A board member may serve until the member's successor is appointed and qualified under this chapter.

(c) A board member may not serve more than two (2) consecutive terms.

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-2-5 Removal; vacancy**

Sec. 5. (a) The governor may remove a board member for cause.

(b) A vacancy in the membership of the board shall be filled for the unexpired term by the governor.

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-2-6 Quorum**

Sec. 6. Three (3) members of the board constitute a quorum.

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-2-7 Immunity from civil liability**

Sec. 7. Board members are immune from civil liability for any action taken in the performance of the board's powers and duties under this article.

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-2-8 Chairman; secretary**

Sec. 8. The board shall elect from its members a chairman and secretary each year.

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-2-9 Appointment**

Sec. 9. (a) At least thirty (30) days before making the annual appointment to the board, the governor shall receive a list of not more than three (3) nominations for the appointment from a joint committee of the survey and representatives of professional organizations representing professional geologists in Indiana.

(b) Members appointed to the board shall be selected from the list submitted to the governor by the joint committee under subsection (a).

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-2-10 Reimbursement of expenses**

Sec. 10. Each board member is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties as provided under IC 4-13-1-4 and the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-3 Chapter 3. Duties and Powers of the Board**

25-17.6-3-1 Meetings; cost of survey

25-17.6-3-2 Qualifications of applicants for certification

25-17.6-3-3 Code of professional conduct

25-17.6-3-4 Investigation of misconduct

25-17.6-3-5 Complaint to condition, suspend, or revoke registration

25-17.6-3-6 Charges of fraud, deceit, gross negligence, or misconduct

25-17.6-3-7 Review of charges

25-17.6-3-8 Compliance with or administrative review of determination

25-17.6-3-9 Legal assistance

25-17.6-3-10 Survey; publication of roster

25-17.6-3-11 Survey; offices and staff

25-17.6-3-12 Rules

#### **IC 25-17.6-3-1 Meetings; cost of survey**

Sec. 1. (a) The board shall meet:

(1) at least one (1) time each calendar year; and

(2) at other times considered necessary by:

(A) the chairman; or

(B) a quorum of the board; upon being given at least ten (10) days notice.

(b) Each year the board shall:

(1) determine the cost incurred by the survey in administering the program for the licensure of professional geologists under this article; and

(2) if necessary, adjust the amount of the:

(A) licensure fee charged under IC 25-17.6-4-7; and

(B) renewal fee charged under IC 25-17.6-5-2; to ensure that the program is self-supporting.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.7.*

#### **IC 25-17.6-3-2 Qualifications of applicants for certification**

Sec. 2. (a) The board shall pass upon the qualifications of applicants for licensure.

(b) The board shall:

(1) require from an applicant for licensure evidence of the applicant's qualifications; and

(2) judge an applicant on evidence of the applicant's professional competency and integrity under rules adopted by the board.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.8.*

#### **IC 25-17.6-3-3 Code of professional conduct**

Sec. 3. (a) The board may by rule adopt or amend a code of professional conduct for licensed professional geologists.

(b) If the board adopts or amends a code of professional conduct under subsection (a), the board shall mail a copy of the code and any amendments to the code to all persons listed on the roster described in section 10 of this chapter.

(c) A mailing under this section constitutes service for the purposes of this article.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.9.*

#### **IC 25-17.6-3-4 Investigation of misconduct**

Sec. 4. The board may investigate:

(1) a suspected violation by a licensed professional geologist of:

(A) the code of conduct adopted under section 3 of this chapter; or

(B) other rules of the board concerning professional competency and integrity of licensed professional geologists; or

(2) other grounds for action against a licensed professional geologist under

IC 25-17.6-8.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.10.*

#### **IC 25-17.6-3-5 Complaint to condition, suspend, or revoke registration**

Sec. 5. (a) The board may file a proposed complaint to condition, suspend, or revoke the license of a licensed professional geologist.

(b) The recipient of a proposed complaint may either:

- (1) agree to the terms of the proposed complaint; or
- (2) request, within twenty (20) days of receiving the proposed complaint, an informal review of the proposed complaint before the board.

(c) Failure by a licensed professional geologist to request an informal review constitutes an agreement to the terms of the proposed complaint.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.11.*

#### **IC 25-17.6-3-6 Charges of fraud, deceit, gross negligence, or misconduct**

Sec. 6. (a) Any person or organization may present charges of fraud, deceit, gross negligence, or misconduct against a licensed professional geologist.

(b) A charge under subsection (a) shall be:

- (1) in writing;
- (2) sworn to by the person or the officer of the organization making the charges; and
- (3) filed with the board.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.12.*

#### **IC 25-17.6-3-7 Review of charges**

Sec. 7. (a) The board shall consider:

- (1) a request for review under section 5; or
- (2) charges under section 6; of this chapter during a meeting.

(b) The board may compel a licensed professional geologist to respond to any matters about a proposed complaint or charges.

(c) The board may by rule establish procedures for the conduct of its review under this section, including the subpoena of witnesses and documents.

(d) A review under this section shall be conducted in an informal manner. However, the board shall keep a record of the proceeding.

(e) As soon as possible following the meeting, the board shall render a determination and either:

- (1) terminate its review; or
- (2) issue a determination under IC 4-21.5-3-6 to condition, suspend, or revoke the license of the licensed professional geologist.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.13.*

#### **IC 25-17.6-3-8 Compliance with or administrative review of determination**

Sec. 8. A licensed professional geologist who receives a determination under section 7 of this chapter shall either:

- (1) comply with its terms; or
- (2) request administrative review under IC 25-17.6-9.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.14.*

#### **IC 25-17.6-3-9 Legal assistance**

Sec. 9. (a) The attorney general shall act as legal adviser to the board and provide any legal assistance necessary to carry out this article.

(b) The board may employ private counsel at the expense of the board.

*As added by P.L.161-1996, SEC.2.*

#### **IC 25-17.6-3-10 Survey; publication of roster**

Sec. 10. (a) The survey shall publish each year a roster showing the names and places of business of all licensed professional geologists.

(b) Copies of the roster described in subsection (a) shall be:

- (1) made available to each person licensed;
- (2) placed on file at the survey; and
- (3) furnished to the public upon request.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.15.*

#### **IC 25-17.6-3-11 Survey; offices and staff**

Sec. 11. The survey shall:

- (1) establish and maintain necessary offices in Indiana;
- (2) employ staff as necessary, including staff for the board; and
- (3) prescribe the duties and compensation of all staff employed under subdivision (2).

*As added by P.L.161-1996, SEC.2.*

#### **IC 25-17.6-3-12 Rules**

Sec. 12. The board may adopt rules under IC 4-22-2 consistent with this article and reasonably required for the conduct of the board's responsibilities and duties.

*As added by P.L.161-1996, SEC.2.*

**IC 25-17.6-4 Chapter 4. Requirements for Certification**

25-17.6-4-1 Course work; experience; passing score on examination

25-17.6-4-2 Years of experience; credits toward

25-17.6-4-3 Credit subject to evaluation and approval by board

25-17.6-4-4 Documentation of competency and integrity

25-17.6-4-5 Licensure in different state

25-17.6-4-6 Administrative review of determination

25-17.6-4-7 Application fee; deposit in fund

**IC 25-17.6-4-1 Course work; experience; passing score on examination**

Sec. 1. To qualify for licensure, an applicant must meet all of the following requirements:

(1) Successful completion of at least thirty (30) semester hours or forty-five (45) quarter hours of course work in geology, culminating in a baccalaureate or advanced degree in geology, geophysics, geochemistry, geological engineering, or geotechnical engineering from an accredited college or university. At the discretion of the board, courses dealing with applied geological science that are given under the auspices of an academic department other than geology may be considered toward the fulfillment of this requirement.

(2) Experience in professional geological work consisting of one (1) of the following:

(A) Five (5) years of teaching geology as a faculty member at the college or university level.

(B) Five (5) years of geological research by an applicant at the college or university level.

(C) Five (5) years of geological work performed under the supervision of, or in collaboration with, a licensed professional geologist.

(D) Seven (7) years of geological work that is acceptable to the board.

(3) A passing score on an examination required by the board that has been designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.16.*

**IC 25-17.6-4-2 Years of experience; credits toward**

Sec. 2. In counting years of experience under section 1(2) of this chapter, the board may give one (1) year of credit each for a master's degree or doctoral degree in geology, geophysics, geochemistry, geological engineering, or geotechnical engineering.

*As added by P.L.161-1996, SEC.2.*

**IC 25-17.6-4-3 Credit subject to evaluation and approval by board**

Sec. 3. Credit toward the experience and education requirements described in this chapter is subject to evaluation and approval by the board.

*As added by P.L.161-1996, SEC.2.*

**IC 25-17.6-4-4 Documentation of competency and integrity**

Sec. 4. The board may require documentation of competency and integrity.

*As added by P.L.161-1996, SEC.2.*

**IC 25-17.6-4-5 Licensure in different state**

Sec. 5. Upon application, licensure may be provided to a person who is licensed or certified as a geologist in a state that has standards for licensure or certification at least equal to those for licensure under this chapter, as determined by the board.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.17.*

**IC 25-17.6-4-6 Administrative review of determination**

Sec. 6. A person seeking licensure as a licensed professional geologist who is aggrieved by a determination of the board under this chapter may request administrative review under

IC 25-17.6-9.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.18.*

**IC 25-17.6-4-7 Application fee; deposit in fund**

Sec. 7. (a) An applicant for licensure shall pay a nonrefundable fee established by regulation of the board.

(b) All fees paid to and collected by the board under this section and IC 25-17.6-5 shall be deposited in a fund under the jurisdiction of the board.

(c) The survey shall be:

(1) designated to collect and disburse funds represented by the fees described in subsection (b); and

(2) required to execute a bond, with corporate surety, in an amount to be determined by the board.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.19.*



## **IC 25-17.6-5 Chapter 5. Renewal of Certificates**

25-17.6-5-1 Expiration of license

25-17.6-5-2 Notification of expiration and renewal fee

25-17.6-5-3 Failure to pay renewal fee

25-17.6-5-4 Revocation of license for failure to pay renewal fee; recertification

### **IC 25-17.6-5-1 Expiration of license**

Sec. 1. A license issued under IC 25-17.6-4 expires three (3) years after it is issued, at a time and date designated by the board.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.20.*

### **IC 25-17.6-5-2 Notification of expiration and renewal fee**

Sec. 2. The board shall notify each person licensed under this article of the:

(1) date of expiration of the person's license; and

(2) amount of the renewal fee established by the board.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.21.*

### **IC 25-17.6-5-3 Failure to pay renewal fee**

Sec. 3. If a person fails to pay the renewal fee within ninety (90) days after the expiration date established by the board under this chapter, the person's:

(1) license shall be suspended; and

(2) name shall be deleted from the roster described in IC 25-17.6-3-10; until the renewal fee is paid.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.22.*

### **IC 25-17.6-5-4 Revocation of license for failure to pay renewal fee; recertification**

Sec. 4. (a) If a person fails to pay the renewal fee for two (2) consecutive years, that person's license shall be revoked and may not be renewed.

(b) If a person whose license has been revoked under subsection (a) desires to be relicensed, the person:

(1) must submit an application to the board; and

(2) shall be considered as a new applicant.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.23.*

## **IC 25-17.6-6 Chapter 6. Use of Seal or Stamp by Geologist**

25-17.6-6-1 Issuance of license by board

25-17.6-6-2 Entitlement to rights and privileges

25-17.6-6-3 Seal or stamp

25-17.6-6-4 Replacement license

25-17.6-6-5 No affixation of signature, stamp, or seal after suspension or revocation of license

### **IC 25-17.6-6-1 Issuance of license by board**

Sec. 1. (a) The board shall, upon payment of the licensure fee, issue a license to an applicant who in the opinion of the board has satisfactorily met all the requirements for licensure under IC 25-17.6-4.

(b) Each license shall show the full name of the board.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.24.*

### **IC 25-17.6-6-2 Entitlement to rights and privileges**

Sec. 2. The issuance of a license by the board is prima facie evidence that the person named on the license is entitled to all the rights and privileges of a licensed professional geologist while the license remains in force.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.25.*

### **IC 25-17.6-6-3 Seal or stamp**

Sec. 3. Each geologist may, upon licensure, obtain and use a seal or stamp of licensure of a design authorized by the board, containing the geologist's name and license number and the legend "Professional Geologist".

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.26.*

### **IC 25-17.6-6-4 Replacement license**

Sec. 4. A replacement license may be issued to replace a license that has been lost, destroyed, or mutilated, subject to the rules of the board.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.27.*

### **IC 25-17.6-6-5 No affixation of signature, stamp, or seal after suspension or revocation of license**

Sec. 5. A geologist may not affix the geologist's signature, stamp, or seal, or certify any report or other geological document after the geologist's license has been suspended or revoked, unless the license has been renewed or reissued.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.28.*

## **IC 25-17.6-7 Chapter 7. Exemptions From Certification Requirements**

25-17.6-7-1 Exemptions from requirements of certification

25-17.6-7-2 Unlawful preparation of geological report or document

25-17.6-7-3 Use of title or description by noncertified persons

#### **IC 25-17.6-7-1 Exemptions from requirements of certification**

Sec. 1. The following persons are exempt from the requirements of licensure under this article:

- (1) An officer or employee of the United States government, state government, or local government while engaged in providing geological services for the officer's or employee's employers.
  - (2) A person engaged solely in geological research or the instruction of geology.
  - (3) A person not engaged in the public practice of geology.
  - (4) A professional engineer registered under IC 25-31 who applies geology to the practice of engineering.
  - (5) A soil scientist who is certified as a soil classifier or soil scientist by the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS) and the Indiana Association of Professional Soil Classifiers (IAPSC) and who applies geology in the practice of soil science.
- As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.29.*

#### **IC 25-17.6-7-2 Unlawful preparation of geological report or document**

Sec. 2. Except for:

- (1) a person exempted under section 1 of this chapter; and
- (2) a person who, in addition to a licensed professional geologist, is authorized by statute or administrative rule to prepare the report or document; it is unlawful for a person other than a licensed professional geologist or a subordinate under the direction of a licensed professional geologist to prepare any geological report or document that is required by a statute or an administrative rule to be prepared by a licensed professional geologist.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.30.*

#### **IC 25-17.6-7-3 Use of title or description by noncertified persons**

Sec. 3. A person may not engage in the public practice of geology or offer to publicly practice geology in Indiana or otherwise assume or advertise in any way a title or description tending to convey the impression that the person is a licensed professional geologist unless the person has been licensed under this article.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.31.*

#### **IC 25-17.6-8 Chapter 8. Grounds for Action by the Board and Penalties**

25-17.6-8-1 Grounds for suspension, refusal to renew, revocation, reprimand, or probation of licensed professional geologist

25-17.6-8-2 Related misdemeanors

#### **IC 25-17.6-8-1 Grounds for suspension, refusal to renew, revocation, reprimand, or probation of licensed professional geologist**

Sec. 1. The board may suspend, refuse to renew the license of, revoke the license of, reprimand, or place on probation a licensed professional geologist when the licensed professional geologist is found responsible by the board for any of the following:

- (1) Fraud or deceit in obtaining licensure.
- (2) Gross negligence, incompetence, or misconduct in the practice of geology.
- (3) Conviction by a court of law of a felony or a crime involving moral turpitude.
- (4) Violation of a code of ethics adopted by the board.
- (5) The commission of an unlawful act set forth in section 2 of this chapter.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.32.*

#### **IC 25-17.6-8-2 Related misdemeanors**

Sec. 2. A person who does any of the following commits a Class B misdemeanor:

- (1) Falsely representing oneself as a licensed professional geologist in violation of IC 25-17.6-7-3.
- (2) Presenting or attempting to use as the person's own a license or seal of another.
- (3) Giving false or forged evidence to the board or to a member of the board in order to obtain a license.
- (4) Falsely impersonating another geologist.
- (5) Using or attempting to use an expired or a revoked license to practice geology at any time during a period the board has suspended or revoked the license.
- (6) Publicly practicing geology in Indiana or offering to publicly practice geology in Indiana without being licensed under this article in violation of IC 25-17.6-7-3.

*As added by P.L.161-1996, SEC.2. Amended by P.L.17-1999, SEC.33.*

#### **IC 25-17.6-9 Chapter 9. Administrative Review and Judicial Review**

25-17.6-9-1 Administrative review of determination

25-17.6-9-2 Parties to proceeding

25-17.6-9-3 Administrative law judge as ultimate authority

25-17.6-9-4 Judicial review of final order

### **IC 25-17.6-9-1 Administrative review of determination**

Sec. 1. If requested, an administrative review of a determination made by the board under IC 25-17.6-3-7, IC 25-17.6-4, or IC 25-17.6-8-1 shall be conducted before an administrative law judge appointed by the natural resources commission or the director of the division of hearings under IC 14-10-2-2.

*As added by P.L.161-1996, SEC.2. Amended by P.L.99-2005, SEC.5.*

### **IC 25-17.6-9-2 Parties to proceeding**

Sec. 2. The parties to the proceeding include:

- (1) the person taking administrative review of the determination by the board; and
- (2) the board.

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-9-3 Administrative law judge as ultimate authority**

Sec. 3. An administrative law judge appointed under this chapter is the ultimate authority for the board under IC 4-21.5-5.

*As added by P.L.161-1996, SEC.2.*

### **IC 25-17.6-9-4 Judicial review of final order**

Sec. 4. A party who is dissatisfied with a final order rendered by an administrative law judge may take judicial review under IC 4-21.5-5.

*As added by P.L.161-1996, SEC.2.*

State regulations that implement, interpret, or administer the state statutes in Indiana law are referred to as rules, and they are codified in Indiana Administrative Code (IAC). Title 305 IAC is the reference to the rules pertaining to the licensure of geologists in the state and may be found at the [Indiana Administrative Code](#) Web site.

## **Current Rules:**

## **TITLE 305 INDIANA BOARD OF LICENSURE FOR PROFESSIONAL GEOLOGISTS**

*NOTE: Under P.L.17-1999, SECTION 5, the name of the Board of Certification for Professional Geologists is changed to Indiana Board of Licensure for Professional Geologists, effective July 1, 1999.*

### **ARTICLE 1. PROFESSIONAL GEOLOGISTS**

#### **Rule 1. Administration and Review**

##### **305 IAC 1-1-1 Administration**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.63937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1618; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; errata

filed Sep 30, 2011, 3:14 p.m.: 20111012-IR-305110581ACA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)

#### **Rule 2. Definitions**

##### **305 IAC 1-2-1 Applicability**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6-1

Sec. 1. The definitions in this rule apply throughout this article. (*Indiana Board of Licensure for Professional Geologists;*

*305 IAC 1-2-1; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2215; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1618; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

##### **305 IAC 1-2-2 "Board" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 2. "Board" means Indiana board of licensure for professional geologists. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-2; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2215; errata filed Jul 21, 1999, 11:30*

a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1618; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)

**305 IAC 1-2-3 "Conviction" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 3. "Conviction" means a verdict of guilty, plea of guilty, or plea of nolo contendere. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-3; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2215; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR3937; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**305 IAC 1-2-3.5 "Geologist" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 3.5. "Geologist" means a person who is qualified by the person's knowledge of the principles of geology acquired by:

- (1) professional education; and
- (2) practical experience.

(*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-3.5; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1618; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**305 IAC 1-2-3.7 "Geology" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 3.7. "Geology" means a science that has the following characteristics:

Sec. 1. (a) The board administers this article with the assistance of the state geologist and the Indiana geological survey.

(b) The board shall consist of the following:

- (1) The state geologist.
- (2) Three (3) members who are licensed professional geologists.
- (3) One (1) member who represents the public at large.

(c) Applications, correspondence, inquiries, and other matters under IC 25-17.6 and this article shall be forwarded to the following address:

State Geologist

Indiana Geological Survey

Indiana University

611 North Walnut Grove

Bloomington, Indiana 47405.

(*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-1-1; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2214; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1617; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; readopted filed Jun 26, 2012, 11:03 a.m.: 20120725-IR-305120209RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**305 IAC 1-1-2 Administrative review and judicial review**

Authority: IC 25-17.6-3-12

Affected: IC 4-21.5-1-15; IC 4-21.5-5-5; IC 14-10-2-2; IC 25-17.6

Sec. 2. (a) The board shall notify a person who is denied a new license, denied a renewal license, has a license suspended, or has a license revoked of the following:

- (1) The reason for the action.
- (2) How the person may take administrative review and that any administrative review must be initiated within thirty (30) days of the action.

(b) Any administrative review of a decision by the board under this article shall be taken to an administrative law judge appointed by the natural resources commission under IC 14-10-2-2 and shall be addressed as follows:

Director, Division of Hearings

Natural Resources Commission

Indiana Government Center North

100 North Senate Avenue, Room N501  
Indianapolis, Indiana 46204-2200

(c) In addition to IC 25-17.6 and this article, administrative review is governed by IC 4-21.5 and 312 IAC 3-1. The parties to a proceeding are the board and the individual aggrieved by a decision of the board directed to that individual.

(d) An administrative law judge is the ultimate authority for the board under IC 4-21.5-1-15. A party who is dissatisfied with a final order rendered by an administrative law judge may take judicial review under IC 4-21.5-5. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-1-2; filed May 8, 1999, 5:18 p.m.: 22 IR 2214; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR*

(1) Treats the earth as a whole.

(2) Includes the:

(A) investigation;

(B) analysis;

(C) classification; and

(D) location;

of the rocks and other materials that compose the earth's crust as they relate to geologic processes.

(3) Involves the study of:

(A) minerals, gases, and liquids composing and contained within the earth's crust; and

(B) geologic materials and processes.

(*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-3.7; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1618; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed*

*Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

#### **305 IAC 1-2-4 "Geosciences profession" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 4. "Geosciences profession" is a short form, sometimes used in the plural, denoting the collective disciplines of the geological sciences and is generally synonymous with the term "geology". (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-4; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2215; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; readopted filed Sep*

*13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

#### **305 IAC 1-2-4.7 "License" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 4.7. "License" means a document issued by the board to permit a person to engage in an activity regulated by IC 25-17.6.

(*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-4.7; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1619; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed*

*Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

#### **305 IAC 1-2-5 "Licensed professional geologist" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6-1-6.5

Sec. 5. "Licensed professional geologist" refers to a licensed professional geologist as defined by IC 25-17.6-1-4 [IC 25-17.6-

*1-4 was repealed by P.L.17-1999, SECTION 35, effective July 1, 1999. See IC 25-17.6-1-6.5.]. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-5; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2215; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR3937; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-**

*305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

#### **305 IAC 1-2-6 "Professional geological work" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 6. (a) "Professional geological work" means the application of principles, theories, and laws of geology along with the body of knowledge encompassed by the science at an advanced and skillful level requiring experience in the geological profession and the capability of interpretation of geological data.

(b) Examples of activities that may qualify as professional geological work are consultation, research, evaluation, or planning of geological systems, works, or projects including, but not limited to, one (1) or more of the following:

- (1) Land reclamation.
- (2) Construction.
- (3) Location, prediction of the location, evaluation, or development or production of petroleum, natural gas, coal, metallic and nonmetallic minerals, ground water, and other geological resources.
- (4) Assessment of geologic hazards, such as landslides, earthquakes, and land subsidence.
- (5) Environmental geology.
- (6) Hydrogeology.

(c) Examples of activities that may not qualify as professional geological work are as follows:

- (1) Activities before an applicant completes the minimum education requirements under 305 IAC 1-3-2(c).
- (2) Participation as a laboratory assistant, field assistant, or technician.
- (3) Participation as an associate instructor or research assistant while enrolled in an undergraduate or graduate studies program.
- (4) Participation as an engineer, driller, well logger, soil scientist, archeologist, or profession other than geology. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-6; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2215; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Sep 1, 2004, 2:45 p.m.: 28 IR 12; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**305 IAC 1-2-6.3 "Public practice of geology" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 6.3. (a) "Public practice of geology" means the performance of service to the public in connection with the geological

description, location, or evaluation of:

- (1) geologic materials, liquids, and gases; and
- (2) the natural processes acting upon them.

(b) The term includes geological:

- (1) consulting;
- (2) investigating;
- (3) evaluation;
- (4) designing; and
- (5) planning.

(*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-6.3; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1619; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**305 IAC 1-2-7 "Qualified geologist" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 7. "Qualified geologist" means a person who possesses the qualifications to be a licensed professional geologist under IC 25-17.6 and this article but who is not certified in Indiana. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-7; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2216; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**305 IAC 1-2-8 "Responsible position" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 8. "Responsible position" means a position which, in order to perform geological work or supervise geological work, requires both of the following:

- (1) The exercise of control over a task or tasks independent of immediate supervision.
- (2) The use of initiative, skill, and independent judgment.

(*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-8; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2216; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted*

*filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

**305 IAC 1-2-9 "State geologist" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 9. "State geologist" means the person in charge of the Indiana geological survey established by IC 20-12-28 [IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007]. (Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-9; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1619; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)

**305 IAC 1-2-10 "Survey" defined**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 10. "Survey" refers to the Indiana geological survey established by IC 20-12-28 [IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007]. (Indiana Board of Licensure for Professional Geologists; 305 IAC 1-2-10; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1619; readopted filed Sep 13, 2005, 9:45 a.m.: 29 IR 690; readopted filed Oct 31, 2011, 10:45 a.m.: 20111130-IR-305110425RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)

**Rule 3. Issuance, Renewal, and Denial of Geologist Licensure**

**305 IAC 1-3-1 Application for geologist licensure**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 1. (a) A person seeking a new license must file with the survey an application completed under this section on a form approved by the board.

(b) Information that an applicant must provide in the application includes the following:

- (1) Educational background at the undergraduate level and, if applicable, the graduate level. This background includes an official transcript of college credits.
- (2) Professional geological work. A person who has taught geological science at the college level must provide information about the level course or courses and the number of hours taught during each semester.
- (3) Affiliations with any scientific and technical society, including the grade of membership and whether the applicant is certified or registered by the society.
- (4) References from three (3) persons in a geosciences profession attesting the applicant adheres to high professional and ethical standards.
- (5) Any other information reasonably required to evaluate the applicant's character, knowledge of geology, and experience in application of the knowledge of geology.

(c) The application form shall be accompanied by a fee in the amount of seventy dollars (\$70) by check or money order made payable to the "Indiana Geological Survey". The application fee is nonrefundable.

(d) The application shall be filed with the survey at least thirty (30) days before the date on which the applicant seeks to have the application reviewed. (Indiana Board of Licensure for Professional Geologists; 305 IAC 1-3-1; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2216; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1619; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; readopted filed Jun 26, 2012, 11:03 a.m.: 20120725-IR-305120209RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)

**305 IAC 1-3-2 Qualifications for licensure**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 2. (a) Qualification as a licensed professional geologist is based on a person's knowledge of the principles and techniques of geology and on the level of experience in the application of those principles and techniques. This section establishes standards that must be satisfied by an applicant for a new license.

(b) The board shall approve general principles for a written examination to determine whether an applicant possesses a comprehensive knowledge of geological science. The examination shall be provided by the survey at least twice in each calendar year. A reasonable examination fee shall be set and revised from time to time by the board. An applicant who files a completed application for a new license must also successfully complete the written examination.

(c) An applicant for a new license must also establish that the applicant meets each of the following requirements before approval as a licensed professional geologist:

- (1) Has not engaged in unethical conduct.
- (2) Meets the following educational requirements: Successful completion of at least thirty (30) semester hours or forty-five (45) quarter hours of course work in geology, culminating in a baccalaureate or advanced degree in geology, geophysics, geochemistry, geological engineering, or geotechnical engineering from an accredited college or university. At the discretion of the board, courses dealing with applied geological science that are given under the auspices of an academic department other than geology may be considered toward the fulfillment of this requirement.
- (3) Experience in professional geological work consisting of some combination of the following:
  - (A) Five (5) years of teaching geology as a faculty member at the college or university level.
  - (B) Five (5) years of postdoctoral research in geology, geophysics, geochemistry, geological engineering, or geotechnical engineering at an accredited college or university.
  - (C) Five (5) years of geological work performed under the supervision of, or in collaboration with, a licensed professional geologist.
  - (D) Seven (7) years of professional geological work.
- (4) The following criteria of education and experience qualify toward accumulation of the required number of years of professional geological work under subdivision (3):
  - (A) One (1) year of credit each for a master's degree or doctoral degree in geology, geophysics, geochemistry, geological engineering, or geotechnical engineering.
  - (B) Each year of teaching in the geological sciences at the college level equals one (1) year of professional geological work, where the total teaching experience includes six (6) semester hours per semester for at least two (2) semesters (or the equivalent if other than a semester system) of third-year or fourth-year undergraduate level courses or graduate level courses.
- (d) If an application does not contain sufficient information to determine whether the applicant satisfies the requirements for a certificate, the board may do either of the following:
  - (1) Deny the application.
  - (2) Require the applicant to do one (1) or both of the following:
    - (A) Provide additional information as needed to evaluate the application.
    - (B) Appear before the board for an interview to determine professional qualifications.
- (e) A person is exempted from this section if the person satisfies both of the following requirements:
  - (1) Was certified under either:
    - (A) IC 25-17.5 before its repeal; or
    - (B) IC 25-17.6 before January 1, 1999.
  - (2) Remains in good standing as a professional geologist.  
*(Indiana Board of Licensure for Professional Geologists; 305 IAC 1-3-2; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2216; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1619; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; readopted filed Jun 26, 2012, 11:03 a.m.: 20120725-IR-305120209RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

**305 IAC 1-3-3 Issuance of a new license**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

- Sec. 3. (a) Upon satisfaction of sections 1 and 2 of this rule, the board shall issue a new license to an applicant.
- (b) Each individual shall be assigned a license number. A license number cannot be transferred or reassigned to a person other than the one to whom it was originally issued.
  - (c) The survey shall issue the following to each licensed professional geologist:
    - (1) A printed license with a seal to evidence the approval. The printed license shall include the following:
      - (A) The full name of the licensed professional geologist.
      - (B) The date of licensure.
      - (C) The license number.
      - (D) The signature of the state geologist.
      - (E) The official seal of the state.
      - (F) A card that includes the essential information from the license.
  - (d) Upon the request of a licensed professional geologist, the board may issue a replacement license. The replacement license shall be assigned the original license number with the word "Re-Issue" inserted above the number. The fee for a replacement license is thirty dollars (\$30).



(e) A printed license or printed replacement license is prima facie evidence the person named on the license is entitled to the rights and privileges of a licensed professional geologist. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-3-3; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2217; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1620; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; readopted filed Jun 26, 2012, 11:03 a.m.: 20120725-IR-305120209RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

#### **305 IAC 1-3-4 Issuance of a renewal certificate**

Authority: IC 25-17.6-3-12

Affected: IC 4-21.5-3-4; IC 25-17.6

Sec. 4. (a) A license expires three (3) years after the date of issuance. A request for renewal must be accompanied by a fee of sixty dollars (\$60) in the form of a check or money order payable to the "Indiana Geological Survey". The renewal will be issued unless the board determines the applicant no longer qualifies as a licensed professional geologist under IC 25-17.6 and this article.

IC 4-21.5-3-4(d) applies to this subsection.

(b) The survey shall mail a renewal notice to each licensed professional geologist at least sixty (60) days before the expiration of the license. The notice shall be directed to the most recent mailing address provided to the survey by the licensed professional geologist.

(c) If the renewal fee is not paid when due, the license is invalidated. The name of the holder shall be deleted from future rosters of the licensed professional geologists unless:

(1) a late renewal fee of seventy-five dollars (\$75) is paid by the applicant before the expiration of two (2) years from the date of its invalidation; or

(2) the certificate is reinstated by the board.

(d) If the renewal fee is not paid within two (2) consecutive years of the invalidation of a certificate, a person may seek reinstatement as a licensed professional geologist only upon successful completion of section 2 of this rule.

(*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-3-4; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2218; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1621; filed Sep 1, 2004, 2:45 p.m.: 28 IR 12; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; readopted filed Jun 26, 2012, 11:03 a.m.: 20120725-IR-305120209RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

#### **305 IAC 1-3-5 Suspension and revocation of a license**

Authority: IC 25-17.6-3-12

Affected: IC 4-21.5-3-8; IC 25-17.6-8-1

Sec. 5. (a) The board may issue a complaint under IC 4-21.5-3-8 to suspend or revoke a license, or may refuse to renew a license, when a licensed professional geologist is found responsible for any violation of IC 25-17.6-8-1.

(b) Any violation of IC 25-17.6 or this article is a violation of the code of ethics of the board as prescribed by IC 25-17.6-8-1(4). (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-3-5; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2218; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1621; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; readopted filed Jun 26, 2012, 11:03 a.m.: 20120725-IR-305120209RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

#### **305 IAC 1-3-6 Informal hearings before the board**

Authority: IC 25-17.6-3-12

Affected: IC 4-21.5; IC 25-17.6

Sec. 6. (a) The board may conduct informal hearings to consider the issuance of a new license, the renewal of a license, the denial or suspension of a license, or any other matter pertaining to the validity of an individual license.

(b) An informal hearing under this section is not subject to IC 4-21.5 and is not governed by formal rules of evidence. The board is not required to record a hearing held under this section. (*Indiana Board of Licensure for Professional Geologists; 305*

*IAC 1-3-6; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2218; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1621; readopted filed Dec 1, 2006, 3:11 p.m.: 20061213-IR-305060171RFA; readopted filed Jun 26, 2012, 11:03 a.m.: 20120725-IR-305120209RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

### **Rule 4. Special Provisions**

#### **305 IAC 1-4-1 Seal and responsibilities of licensed professional geologists for documents**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 1. (a) A licensed professional geologist may purchase a seal from a private vendor that bears the geologist's name, license number, and the legend "Licensed professional geologist". A seal cannot be less than one and five

eighths (1 5/8) inches or more than one and seven-eighths (1 7/8) inches in outside diameter and shall conform with the following design:



(b) The seal may be embossed or applied by a rubber stamp. The seal may have a milled edge, as illustrated in subsection (a), or two (2) concentric circles with the outer and inner circles corresponding with the respective edges of the milling.

(c) The seal pictured replaces all previous seal designs.

(d) The seal shall be affixed to a document or license only if:

(1) the license is current and has not been suspended or revoked; and

(2) the document or instrument is created by the licensed professional geologist or by persons who are regularly employed or directly supervised subordinates of the licensed professional geologist.

(e) A licensed professional geologist shall cause to be legible the placement of a seal on a document or instrument.

(f) A licensed professional geologist is responsible for the professional work on any plans, specifications, plats, reports, or other documents to which the seal or signature of the licensed professional geologist is affixed. A licensed professional geologist who affixes a seal or signature to a document without understanding the contents of the document violates the code of ethics. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-4-1; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2218; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Mar 6, 2000, 7:58 a.m.: 23 IR 1621; filed Sep 1, 2004, 2:45 p.m.: 28 IR 12; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**305 IAC 1-4-2 Publication of roster; responsibility of a licensed professional geologist to maintain a current address with the Indiana geological survey**

Authority: IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 2. (a) The survey shall, every calendar year, publish a roster showing the names and addresses of the licensed professional geologists.

(b) Each licensed professional geologist is responsible for maintaining with the survey a current mailing address. A notification made by the board under IC 25-17.6 and this article is complete if delivered to the address provided by the licensed professional geologist under this subsection. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-4-2; filed Mar 8, 1999, 5:18 p.m.: 22 IR 2219; errata filed Jul 21, 1999, 11:30 a.m.: 22 IR 3937; filed Sep 1, 2004, 2:45 p.m.: 28 IR 13; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**Rule 5. Code of Ethics**

**305 IAC 1-5-1 Professional conduct**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 1. A licensed professional geologist must be guided by the highest standards of honesty, integrity, impartiality, and conduct. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-1; filed Sep 1, 2004, 2:45 p.m.: 28 IR 13; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**305 IAC 1-5-2 Public interest**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 2. (a) A licensed professional geologist must uphold the public health and safety in the performance of professional services.

(b) A licensed professional geologist is encouraged to promote public awareness of the effects of geology and geological processes on the quality of life. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-2; filed Sep 1, 2004, 2:45 p.m.: 28 IR 13; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.:*

*20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

### **305 IAC 1-5-3 Legal compliance**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 3. (a) A licensed professional geologist must observe and comply with the requirements of all applicable common law, federal and state constitutional provisions, federal and state statutes, regulations, rules, and local ordinances.

(b) A licensed professional geologist must not knowingly participate in any illegal activities or knowingly permit the publication of his or her reports, maps, or other documents for illegal purposes.

(c) A licensed professional geologist must not accept payment, gift, or other valuable consideration that would appear to influence a decision made on behalf of the public by the licensed professional geologist acting in a position of public trust.

(d) If a licensed professional geologist has knowledge of a decision or action by an employer, client, or colleague that violates any law or regulation or poses an imminent threat to the public health and safety, the licensed professional geologist must advise against such action. If the employer, client, or colleague fails to make a reasonable effort to notify the appropriate public officials, then the licensed professional geologist should do so.

(e) A licensed professional geologist must not aid any person in the unauthorized practice of geology. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-3; filed Sep 1, 2004, 2:45 p.m.: 28 IR 13; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

### **305 IAC 1-5-4 Integrity**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 4. (a) A licensed professional geologist must be accurate and truthful in all communications.

(b) A licensed professional geologist must not:

(1) knowingly engage in false or deceptive advertising; or

(2) make false, misleading, or deceptive representations or claims in regard to the profession of geology or that concern his or her own professional qualifications or abilities or those of other geologists.

(c) A licensed professional geologist must avoid making sensational, exaggerated, or unwarranted statements that may mislead or deceive members of the public or any public body.

(d) A licensed professional geologist, acting in the position of public trust, must exercise authority impartially and must not seek to use the authority for personal profit or to secure any competitive advantage.

(e) A licensed professional geologist, when serving as an expert witness or as accepted to be an expert in legal or administrative proceedings, shall express an opinion only when having an adequate knowledge of the facts of the issue and a background of technical competence on the subject. Statements and opinions must be based on an honest conviction of the accuracy and propriety of the testimony. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-4; filed Sep 1, 2004, 2:45 p.m.: 28 IR 14; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

### **305 IAC 1-5-5 Conflicts of interest**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 5. (a) A licensed professional geologist must disclose any actual or potential conflicts of interest that may affect their ability to serve an employer or client.

(b) A licensed professional geologist must disclose to a prospective employer or client the existence of any owned or controlled mineral or other interest that may, either directly or indirectly, have a pertinent bearing on such employment.

(c) A licensed professional geologist having or expecting to have beneficial interest in a property on which the licensed professional geologist is reporting should disclose the existence of the interest or expected interest. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-5; filed Sep 1, 2004, 2:45 p.m.: 28 IR 14; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31,*

2017, 3:31 p.m.: 20171129-IR-305170347RFA)

### **305 IAC 1-5-6 Obligations to employers and clients**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 6. (a) A licensed professional geologist must protect, to the fullest possible extent, the interest of an employer or client so far as is consistent with the public health and safety and the licensed professional geologist's legal, professional, and ethical obligations.

(b) A licensed professional geologist who has made an investigation for an employer or client must not seek to profit economically from the information gained or resources used without a good faith effort to notify the employer or client of his or her intentions. Mineral prospects and other original geologic concepts and information, developed by the licensed professional geologist and brought to the employer or client, shall be freely usable by the licensed professional geologist at any time, absent a contractual agreement to the contrary.

(c) A licensed professional geologist who finds that obligations to an employer or client cause serious conflict with professional and ethical standards must recommend that the objectionable conditions be corrected. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-6; filed Sep 1, 2004, 2:45 p.m.: 28 IR 14; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

### **305 IAC 1-5-7 Professional and ethical obligations**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 7. (a) A licensed professional geologist must serve employers and clients competently within the geologist's overall professional and ethical obligations.

(b) A licensed professional geologist shall perform professional services or issue professional advice that is within the scope of the education and experience of the licensed professional geologist or the licensed professional geologist's professional associates, consultants, or employees and must advise the employer or client if any professional advice is outside of the licensed professional geologist's personal expertise.

(c) A licensed professional geologist must not give a professional opinion or submit a report without being informed as might be reasonably expected, considering the purpose for which the opinion or report is requested.

(d) A licensed professional geologist should report all assumptions on which the results of a report or opinion are based.

(e) A licensed professional geologist should substantiate any statements in opinions and reports.

(f) A licensed professional geologist should not knowingly or purposefully misrepresent or omit relevant data, or fail to mention a lack of data that might affect the results or conclusions of an opinion or report.

(g) A licensed professional geologist should engage, or advise an employer or client to engage, and cooperate with other experts and specialists whenever the employer's or client's interests would be best served. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-7; filed Sep 1, 2004, 2:45 p.m.: 28 IR 14; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

### **305 IAC 1-5-8 Professional courtesies**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 8. (a) A licensed professional geologist must respect the rights, interests, and contributions of their professional colleagues and must be accurate and truthful in all communications with others regarding professional colleagues.

(b) A licensed professional geologist must:

(1) give due credit for work done by others in the course of a professional assignment; and

(2) must not knowingly accept credit due another.

(c) Statements regarding opinions must be restricted to and based on logical and scientific principles and must be made in a respectful and professional manner. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-8; filed Sep 1, 2004, 2:45 p.m.: 28 IR 15; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

### **305 IAC 1-5-9 Continuing education**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 9. A licensed professional geologist should strive to improve professional knowledge and skills and work toward the advancement of geological education, research, training, and practice. (*Indiana Board of Licensure for*

*Professional Geologists; 305 IAC 1-5-9; filed Sep 1, 2004, 2:45 p.m.: 28 IR 15; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA)*

**305 IAC 1-5-10 Equal opportunity**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 10. A licensed professional geologist must not discriminate against any person on the basis of race, creed, gender, age, disability, sexual orientation, or national origin when engaged in services to the public or as required by law. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-10; filed Sep 1, 2004, 2:45 p.m.: 28 IR 15; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

**305 IAC 1-5-11 Obligation to report violations**

Authority: IC 25-17.6-3-3; IC 25-17.6-3-12

Affected: IC 25-17.6

Sec. 11. It is the individual responsibility of each professional geologist to abide by the code of ethics presented in this rule. Any complaints brought to the attention of the board regarding a violation of this rule by a licensed professional geologist must be substantiated with evidence of the violation. The board is responsible for evaluating and acting on disciplinary actions regarding the code of ethics. (*Indiana Board of Licensure for Professional Geologists; 305 IAC 1-5-11; filed Sep 1, 2004, 2:45 p.m.: 28 IR 15; readopted filed Nov 30, 2010, 8:33 a.m.: 20101229-IR-305100664RFA; readopted filed Nov 18, 2016, 12:48 p.m.: 20161214-IR-305160271RFA; readopted filed Oct 31, 2017, 3:31 p.m.: 20171129-IR-305170347RFA*)

The Indiana Board of Licensure for Professional Geologists evaluates applicants on the basis of criteria established in IC 25-17.6 and Title 305 IAC.

A Non-Rule Policy is a policy that is not part of the IAC, but one which has been accepted by the Indiana Board of Licensure for Professional Geologists and which lends consistency to its actions. Currently, only one such Non-Rule Policy exists: [Non-Rule Policy](#).

Appeals to Board decisions may be made any time within 30 days from the postmark on the letter of denial. At the bottom of each letter of denial, a passage similar to the following will be found:

*The decision by the Board of Licensure for Professional Geologists is its final agency action. If you wish to take administrative review (commonly called an "appeal") of the decision, within 30 days of this letter you must request review in writing at the following address:*

*Director, Division of Hearings  
Natural Resources Commission  
Indiana Government Center South  
402 West Washington Street, Room W272  
Indianapolis, IN 46204*