

# SIDE SHOTS

Professional Land Surveyors of Colorado

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**PLSC provides initial funding of endowment for new surveying education programs.**

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# Rule of the Month - Board Rule 6.2.1 and 6.2.2.

By Earl Henderson, PLS

Here I go again, out on that proverbial old dead cracked limb, but I'm going to say it anyway. I think most PLS's in Colorado are familiar with the concepts outlined in Board Rule 6.2.1 even if they've never read it. The first part describes three circumstances that should red flag anyone. In summary they say that if you are asked to sign a certification about matters that are (a) beyond your competence, training, or education; (b) beyond the services you actually provided; or (c) not prepared under your responsible charge, then (and here's the second half) (a) modify the certification to limit the scope to those matters that you can take responsibility for or (b) decline to sign it. That doesn't sound too tough or unreasonable, does it? And yet here I am writing about it. Why would that be? Well of course it's because common sense isn't all that common. And in some cases neither is integrity.

The PLS's that get into trouble over this rule seem to fall into three categories, at least as I see it. The first just aren't paying enough attention. Why would a PLS sign something that you (a) didn't know, (b) didn't do, or (c) weren't involved in? The second possibility is because the PLS is being pressured to sign something, possibly by a municipal worker determined to require a signature for a project, the client for possibly a similar reason, or the PLS's supervisor, again likely in order to further a project. In each of these cases the pressure is really money. If the PLS doesn't sign, it's going to cost someone more, or too much, money. But I can assure you that the laws that govern the practice of land surveying in Colorado don't mention money. And the entity that's going to be held responsible isn't the municipality, client, supervisor, or even the survey company. It's the licensee that's responsible for their own signature. And it's the licensee that's going to be attempting to explain their signature to the AES Board and/or the judge. So be careful about what you sign and what it says.

The third situation when a PLS gets into trouble over this rule is the most heinous in my opinion. Those

are the PLS's who are selling their signatures with no attempt at all at being involved in a project, doing anything toward that project, nor acting in any way in responsible charge. I love that term "responsible charge" because it is quite clear. I don't like the term "rubber stamping" though because it's not harsh enough. It almost sounds like a copying of a stamp and not the misuse of your stamp. I prefer something more like "fraudulent stamping" or possibly "irresponsible discharge". In fact, I'm going to start a contest right here and now. I want submissions on the new term for this deplorable action. The winner will get no public recognition or reward other than to know that their terminology is going to pervade the PLS community for generations to come. But this criminal action deserves no more waste of time, space or print, so I'm moving on.

I find myself concerned with Board Rule 6.2.2 much more often. And I'm puzzled by this. BR 6.2.2 is a definition of what a certification is. Why would you not copy and paste the appropriate phrases from these four lines directly into your template for your Surveyor's Certification? You can include additional sentences of course in your certification, but if your certification statement does not include these four phrases, then it can't be considered to follow the Board Rules can it? It's like a check list, and you all know how fond I am of those.

What you sign as a PLS is important. What it says is important. And what it says about you as a professional is also very important. If you want to know how detailed this issue can get, just check out the differences between the latest ALTA/NSPS certification and the former ALTA/ACSM certification. There are those who (rightly so) get down to the definition of "is" in writing these, and it's those minute details that we, as PLS's, are going to be held to when we're on the stand. Or possibly that old limb. Does anyone hear a cracking sound?