

TITLE XLVIII

CONVEYANCES AND MORTGAGES OF REALTY

CHAPTER 478

REGISTERS OF DEEDS

Section 478:1-a

478:1-a Recording of Plats. –

I. No register of deeds shall file or record a plat of a subdivision, or a plat prepared for the purpose of showing existing property lines, if such plat has not been prepared and certified by a licensed land surveyor, since July 1, 1981, or by a registered land surveyor between January 1, 1970 and June 30, 1981, and any such filing or recording shall be void. For the purposes of this section the definition of the word "subdivision" shall be that contained in RSA 672:14. A "plat" for the purpose of this section shall be a map of a specific land area whose boundaries are defined by metes and bounds. A plat may show:

- (a) Newly created parcels, streets, alleys, and easements as in a subdivision; or
- (b) A lot-line-adjustment or site plan depicting existing parcels defined by legal descriptions contained in deeds, grants, or other legal documents.

II. Each register of deeds shall establish a policy for providing adequate space, on the plat, for recording the registry plan number and recording information.

III. The register of deeds shall refuse for recording any map that does not meet the definition of a plat under paragraph I and any plat that does not contain the information or meet the specifications required by this section. Construction plans, construction details, and maps that do not define the limits or extent of legal rights or interest in land shall not be recorded.

IV. All plats shall be drawn with the following sizes: 8.5' x 11,' 11' x 17,' 17' x 22,' 22' x 34,' or such specifications and sizes as may be required by the register of deeds. The material composition of the plats shall be suitable for electronic scanning and archiving by the register of deeds.

V. All plats shall have a minimum of 1/2 inch margins on all sides.

VI. All text and dimensions shall be legible for reproduction, and the text sizes shall be no smaller than .08 of an inch for mechanical drafting and 1/8 inch for hand drafting.

VII. All certifications, seals, and approval blocks shall have original dates and signatures in a legible, permanent black ink.

VIII. All title blocks shall be located in the lower right hand corner, when possible, and shall indicate the following:

- (a) Type of survey, such as a boundary survey, subdivision, American Land Title Association (ALTA) survey, or lot line adjustment.
- (b) Owner of record.
- (c) Title of plat or development.
- (d) Tax map number.
- (e) Name of the town in which the parcel is located.
- (f) Plat and revision dates.

IX. All plats shall have a scale both as a written and graphic representation.

X. All plats shall have a north arrow with reference to magnetic grid or astronomic north, as applicable. The north arrow shall be labeled with its reference direction.

XI. Shading over any text shall not be permitted on any plat. Cross hatching or other hatching at a scale large enough not to interfere with text legibility, before and after reproduction, may be permitted.

XII. No lines, whether hatching, boundary lines, or topographic contours shall obstruct or interfere with the legibility, either before or after reproduction, of any bearings, dimensions, or text.

XIII. The minimum line widths on plats shall not be smaller than .01 inches.

Source. 1988, 233:3. 1995, 303:1. 2004, 103:1, eff. Jan. 1, 2005.

TITLE XXX

OCCUPATIONS AND PROFESSIONS

CHAPTER 310-A

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

Land Surveyors

Section 310-A:54

310-A:54 Definitions. –

As used in this subdivision:

I. "Board" means the state board of licensure for land surveyors.

I-a. "Business organization" means any enterprise, whether corporation, partnership, limited liability company, proprietorship, association, business trust, real estate trust or other form of organization; organized for gain or profit, carrying on any business activity within the state.

I-b. "Certificate of authorization" means any certificate issued by the office to a business organization to engage in the practice of land surveying.

II. A "land surveyor" is a professional specialist in the technique of measuring land, educated in the basic principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence and all requisite to the surveying of real property and engaged in the practice of land surveying as herein defined.

III. "Land surveyor-in-training" means a candidate for licensure as a land surveyor who, prior to completion of the requisite years of experience in surveying work provided in RSA 310-A:63, has met the preliminary requirements for licensure as a land surveyor, and has been issued a certificate by the board stating that such candidate is a land surveyor-in-training.

IV. "Practice of land surveying" means any service or work, the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences and the relevant requirements of law for adequate evidence to the act of measuring and locating lines, angles, elevations, natural and man-made features in the air, on the surface of the earth, within underground workings, and on the beds of bodies of water for the purpose of determining areas and volumes, for the monumenting of property boundaries and for the platting and layout of lands and subdivisions of land, including the topography alignment and grades of streets and for the preparation and perpetuation of maps, record plats, field note records and property descriptions that represent these surveys.

Source. 1981, 485:1. 1989, 247:16. 1994, 358:2. 1995, 136:20, eff. July 23, 1995; 284:34, eff. Jan. 1, 1996. 2024, 327:212, eff. July 1, 2024.



TITLE XXX

OCCUPATIONS AND PROFESSIONS

CHAPTER 310-A

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

Land Surveyors

Section 310-A:53

310-A:53 General Provisions. –

I. In order to safeguard property and to promote the public welfare, the practice of land surveying in this state is hereby declared to be subject to regulation in the public interest.

II. Except as provided in RSA 310-A:74, it shall be a class B misdemeanor for any person to practice or to offer to practice land surveying in this state, or to represent by verbal claim, sign, letterhead, card, or in any other way that such person is a land surveyor or is able to perform land surveying services, unless the person holds a license under this subdivision. Admission to practice land surveying shall be determined upon the basis of individual personal qualification.

III. Nothing in this subdivision shall be construed to give to a land surveyor the right to perform engineering design or other elements of the practice of engineering as defined in RSA 310-A:2, III.

IV. The practice of or the offer to practice land surveying in this state by individual licensed land surveyors as a business organization, a material part of the business which includes land surveying, is permitted provided certain personnel of such entity who shall act in its behalf are licensed land surveyors under the provisions of this subdivision and provided such entity has been issued a certificate of authorization by the office as provided in this subdivision. Any entity issued a certificate under this section shall be required to comply with all of the provisions of this subdivision.

V. Each such entity shall file with the office of licensure a designation of an individual or individuals licensed to practice land surveying in this state who shall be in charge of land surveying by such entity in this state. The person designated shall be a full-time officer, partner, owner, or full-time employee of that entity. Such entity shall notify the office of licensure of any change in the entity's designation within 30 days after such change becomes effective.

Source. 1981, 485:1. 1989, 247:15, 22. 1994, 358:1. 1995, 136:19, eff. July 23, 1995; 284:32, 33, 58, eff. Jan. 1, 1996. 2024, 327:211, eff. July 1, 2024.



TITLE XXX

OCCUPATIONS AND PROFESSIONS

CHAPTER 310-A

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

Land Surveyors

Section 310-A:72

310-A:72 Violations and Penalties. –

I. Any person who shall practice or offer to practice land surveying in this state for others without being licensed in accordance with this subdivision, or any person presenting or attempting to use as one's own the license or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any board member in obtaining or attempting to obtain a license, or any person who shall falsely impersonate any other licensee of like or different name, or any person who shall attempt to use an expired or non-existent or revoked license or authorization, or any person who shall violate any of the provisions of this subdivision shall be guilty of a class A misdemeanor if a natural person, or guilty of a felony if a business organization.

II. The office may investigate any actual, alleged, or suspected unlicensed activity and report the findings of such investigations to the attorney general for prosecution.

Source. 1981, 485:1. 1995, 136:28, eff. July 23, 1995; 284:41, eff. Jan. 1, 1996. 2022, 227:1, eff. Jan. 1, 2023. 2024, 327:220, eff. July 1, 2024.



TITLE XXX

OCCUPATIONS AND PROFESSIONS

CHAPTER 310-A

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

Land Surveyors

Section 310-A:74

310-A:74 Exemptions. –

This subdivision shall not be construed to prevent or to affect:

I. The practice of land surveying principles by a licensed professional engineer which shall include those support surveying activities which may be required to aid, verify, or facilitate the sound conception, planning, design, construction, maintenance, and operation of engineering projects by persons licensed under this chapter, but shall exclude the surveying of real property for the establishment or reestablishment of land boundaries, rights-of-way, easements, and the dependent or independent surveys or resurveys of the public land survey system.

II. The work of an employee or a surveyor in training for a person holding a license under this subdivision, or an employee of a person practicing lawfully under paragraph I, done under the direct responsibility, checking, and supervision of a person holding a license under this subdivision or a person practicing lawfully under paragraph I;

III. The practice of officers and employees of the government of the United States while engaged within this state in the practice of land surveying for the government; or

IV. The practice of surveying principles necessary in carrying out forest management practices, including the remarking of established boundaries and the establishment of new interior boundaries of a forest property, but not to include the establishment of boundaries common to another owner where the corners or boundary is unknown.

V. Preparation of mortgage plot plans and mortgage inspection reports, provided that:

(a) Any drawings prepared in connection with such plans or reports shall include the conspicuously-placed legend in 24 point or larger type: "This drawing is not a survey/For mortgage purposes only," or language which is substantially the same.

(b) Any such drawing shall not bear any professional seal.

Source. 1981, 485:1. 1989, 247:24. 1994, 358:9. 1995, 136:29, eff. July 23, 1995; 284:42, 56, eff. Jan. 1, 1996.



TITLE XXX

OCCUPATIONS AND PROFESSIONS

CHAPTER 310-A

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

Professional Engineers

Section 310-A:2

310-A:2 Definitions. –

As used in this subdivision:

I. "Board" means the board of professional engineers.

I-a. "Business organization" means any enterprise, whether corporation, partnership, limited liability company, proprietorship, association, business trust, real estate trust, or other form of organization; organized for gain or profit, carrying on any business activity within the state.

II. "Professional engineer" means a person who by reason of advanced knowledge of mathematics and the physical sciences, acquired by professional education and practical experience, is technically and legally qualified to practice engineering, and who is licensed by the office or otherwise authorized by this subdivision to engage in the practice of engineering.

III. "Practice of engineering" means any professional service or creative work requiring education, training, experience, and the application of advanced knowledge of mathematics and physical sciences, involving the constant exercise of discretion and judgment, to such services or work as consultation, investigation, evaluation, planning, design, responsible oversight of construction, and responsible oversight of operation, in connection with any public or private utilities, structure, buildings, machines, equipment, processes, works, or projects, wherein the public welfare, or the safeguarding of life, health, or property is concerned.

IV. "Engineering surveys" means any surveying activities required to support the sound conception, planning, design, construction, maintenance, and operation of engineering projects by persons licensed under this subdivision, but shall exclude the surveying of real property for the establishment or reestablishment of land boundaries, rights-of-way, easements, and the dependent or independent surveys or resurveys of the public land survey system.

V. "Engineer of record" means a professional engineer who seals drawings, reports, or documents for a project. The seal shall acknowledge that the professional engineer prepared, coordinated, or had subordinates prepare under the direct supervision of the professional engineer, drawings, reports, or documents for a project. The engineer of record shall not be responsible for engineering work performed and sealed by other professional engineers, including independent consulting engineers who work under the coordination of the engineer of record.

Source. 1981, 485:1. 1995, 136:1, eff. July 23, 1995; 284:1-4, 57, eff. Jan. 1, 1996. 2024, 327:254, eff. July 1, 2024.

