Rules and Regulations of the State of Georgia

Department 265 GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS

Current through Rules and Regulations filed through November 6, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapters 265-1 entitled "Administration", 265-2 entitled "Purpose", 265-3 entitled "Definitions", 265-4 entitled "Registration of Practice Under Title of Registered Geologist", 265-5 entitled "Certification in a Specialty", 265-6 entitled "Practice After Registration", 265-7 entitled "Geologist-in-Training", 265-8 entitled "Fees and Costs", 265-9 entitled "Standards of Conduct", and 265-10 entitled "Procedural Rules" have been adopted. Filed September 24, 1976; effective October 14, 1976.

Rules 265-1-.02 to .08, 265-4-.01, .02, .04, have been amended. Rules 265-3-.01 and 265-4-.07 have been repealed and new Rules adopted. Chapters 265-5 to 265-9 have been repealed and new Chapters adopted. Chapter 265-10 has been repealed. Filed May 17, 1979; effective June 6, 1979.

Rules 265-7-.02 to .04 have been repealed and new Rules adopted. Rule 265-7-.05 has been adopted. Filed March 19, 1982; effective April 8, 1982.

Rules 265-1-.01, .05, 265-3-.01, and 265-6-.01 have been amended. Rule 265-1-.02 has been repealed and a new Rule adopted. Filed August 5, 1983; effective August 25, 1983.

Rules 265-7-.02 and .04 have been amended. Filed November 2, 1989; effective November 22, 1989.

Rules 265-3-.01, 265-4-.02 to .07, .09, 265-7-.02, and 265-8-.02 have been repealed and new Rules adopted. Rule 265-4-.01 has been amended. Rule 265-5-.03 has been repealed. Chapter 265-6 has been repealed. Filed January 16, 1991; effective February 5, 1991.

Rule 265-4-.02 has been amended. Filed August 7, 1991; effective August 27, 1991.

Rule 265-7-.02 has been amended. Filed November 6, 1991; effective November 26, 1991.

Paragraph (5) of Rule 265-4-.03 has been adopted. Filed May 19, 1993; effective June 8, 1993.

Rule 265-5-.01(3) has been amended. Filed January 14, 1994; effective February 3, 1994.

Rule 265-4-.03(5) has been amended. Filed March 6, 1996; effective March 26, 1996.

Rule 265-4-.06(3) has been amended. Filed December 29, 1998; effective January 18, 1999.

Rule 265-7-.02 has been amended; Rule 265-7-.03 has been repealed. Filed November 29, 1999; effective December 19, 1999.

Rules 265-1-.05, .07, 265-3-.01, and 265-4-.06 have been repealed and new Rules adopted. Filed August 23, 2005; effective September 12, 2005.

Rules 265-4-.09, 265-5-.04, 265-7-.02, .04, 265-8-.02, and 265-9-.01 have been repealed and new Rules adopted. Filed August 24, 2005; effective September 13, 2005.

Rule 265-4-.03 has been amended. Filed October 19, 2007; effective November 8, 2007.

Cite as Ga. Comp. R. & Regs. R. dept. 265, ADMINISTRATIVE HISTORY

Chapter 265-1. ADMINISTRATION.

Rule 265-1-.01. Organization of the Board.

(1) The State Board of Registration for Professional Geologists shall administer the provisions of the Act. The Board shall consist of five (5) geologists and one (1) public member, appointed by the Governor, approved by the Secretary of State and confirmed

by the Senate, and the Commissioner of Natural Resources or his designated agent as an ex officio member.

(2) Each member of the Board shall be a citizen of the United States, and shall have been a resident of this State for the six (6) months immediately preceding his appointment. Each of the first appointed geologist members of the Board shall be a qualified geologist; each subsequent geologist members of the Board shall be a geologist registered under the Act. Members of the following professional categories shall be represented on the Board: One (1) academic geologist, one (1) governmental geologist, one (1) salaried company geologist, one (1) independent or consultant geologist, one (1) geologist at large, plus the Commissioner of Natural Resources or his designated agent as a permanent ex officio member.

(3) The members of the Board, with the exception of the ex officio member, shall be appointed to serve for a term of five years. Appointed members of the Board shall hold office until the expiration of the term for which they were appointed and until their successors have been appointed and qualified. On the expiration of the term of any member, his successor shall be appointed in like manner by the Governor for a term of five (5) years.

(4) The members of said Board shall, before entering the discharge of their duty, subscribe to and file with the Secretary of State the constitutional oath of officers, whereupon the Secretary of State shall issue to said appointee, certificates of appointment to said appointee.

(5) No person shall serve as a member of the Board for more than one (1) consecutive five (5) year term.

Cite as Ga. Comp. R. & Regs. R. 265-1-.01
Authority: O.C.G.A. Sec. 43-19-4.
History. Original Rule entitled "Organization of the Board" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Amended: F. Aug. 5, 1983; eff. Aug. 25, 1983.

Rule 265-1-.02. Nominations to the Board.

The Board may determine procedures whereby recommendations may be made to the Governor for nominations to the Board.

Cite as Ga. Comp. R. & Regs. R. 265-1-.02
Authority: O.C.G.A. Sec. 43-19-6.
History. Original Rule entitled "Nominations to the Board" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Amended: Authority changed. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule of same title adopted. F. Aug. 5, 1983; eff. Aug. 25, 1983.

Rule 265-1-.03. Removal from the Board.

The Governor may remove any member of the Board for misconduct, incompetency, neglect of duty, or any other sufficient causes. Vacancies in the membership of the Board shall be filled for the unexpired term by appointment by the Governor as provided for herein.

Cite as Ga. Comp. R. & Regs. R. 265-1-.03
Authority: Ga. Code Ann. 84-2114.
History. Original Rule entitled "Removal from the Board" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Amended: Authority changed. F. May 17, 1979; eff. June 6, 1979.

Rule 265-1-.04. Headquarters.

The Headquarters of the Board shall be the office of the Joint Secretary, State Examining Boards, 166 Pryor Street, S. W., Atlanta, Georgia 30303. The public may obtain information and submit requests at the office of the Joint Secretary.

Cite as Ga. Comp. R. & Regs. R. 265-1-.04
Authority: Ga. Code Ann. 84-2114.
History. Original Rule entitled "Headquarters" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Amended: Authority changed. F. May 17, 1979; eff. June 6, 1979.

Rule 265-1-.05. Meetings.

(1) The Board shall hold at least two (2) regular meetings each year. Four (4) members shall constitute a quorum. An affirmative vote of a majority of the members present shall be necessary to transact business. Special meetings of the Board shall be called by the Division Director upon the written request of the Chairman or any two (2) members, by giving each member of the Board at least seven (7) days' notice of such meeting and the time and place at which such meeting is to be held. Notice of all meetings shall be given as may be provided in the regulations.

(2) The Board shall follow Robert's Rules of Order with the exception that the Chairman and the ex officio member shall be full voting members.

(3) The Board meetings shall be open to the public and the Board shall keep a public record of its proceedings except when the Board goes into executive session to discuss applications and other personal information submitted by applicants; or the information, favorable or unfavorable, submitted by a reference concerning an applicant; or to deliberate with respect to an application, complaint or a disciplinary proceeding.

Cite as Ga. Comp. R. & Regs. R. 265-1-.05
Authority: O.C.G.A. Secs. 43-1-2, 43-1-19, 43-19-4 to 43-19-6.
History. Original Rule entitled "Meetings" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Amended: Authority changed. F. May 17, 1979; eff. June 6, 1979.
Amended: F. Aug. 5, 1983; eff. Aug. 25, 1983.
Repealed: New Rule of same title adopted. F. Aug. 23, 2005; eff. Sept. 12, 2005.

Rule 265-1-.06. Officers.

The Board shall annually elect a Chairman and a Vice-Chairman. The Chairman shall preside at all meetings of the Board, appoint committees and perform the usual duties of his office, and the Vice-Chairman shall perform all such duties in the absence of the Chairman.

Cite as Ga. Comp. R. & Regs. R. 265-1-.06
Authority: Ga. Code Ann. 84-2114.
History. Original Rule entitled "Officers" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Amended: Authority changed. F. May 17, 1979; eff. June 6, 1979.

Rule 265-1-.07. Division Director.

(1) The Division Director shall serve as Secretary of the Board and, perform for the Board those duties set forth in O.C.G.A. Title 43, Chapter 1.

Cite as Ga. Comp. R. & Regs. R. 265-1-.07
Authority: O.C.G.A. Secs. 43-1-2, 43-19-6.
History. Original Rule entitled "Joint Secretary" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Amended: Authority changed. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule entitled "Division Director" adopted. F. Aug. 23, 2005; eff. Sept. 12, 2005.

Rule 265-1-.08. Seal.

The Board shall adopt a seal for its own use and shall have the words "Georgia State Board of Registration for Professional Geologists" inscribed thereon, and the Joint Secretary shall have the care and custody thereof.

Cite as Ga. Comp. R. & Regs. R. 265-1-.08
Authority: Ga. Code Ann. 84-2114.
History. Original Rule entitled "Seal" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Amended: Authority changed. F. May 17, 1979; eff. June 6, 1979.

Chapter 265-2. PURPOSE.

Rule 265-2-.01. Purpose.

In order to safeguard life, health, and property, and to promote the public welfare, the practice of geology in this state has been declared to be subject to regulation in the public interest. These Rules and Regulations are adopted in order to introduce qualifying criteria in a presently unregulated professional field. Such action recommends itself through benefits to the safety, health and property of the people of Georgia and to the promotion of the public welfare. These benefits are in the fields of geology as related to engineering, groundwater, mineral exploration

and development, geologic hazards, the further development of the science of geology and other geologic matters of concern to the people of this State.

Cite as Ga. Comp. R. & Regs. R. 265-2-.01
Authority: Ga. L. 1975, pp. 163, 165 (Ga. Code Ann. 84-2102a).
History. Original Rule was filed on September 24, 1976; effective October 14, 1976.

Chapter 265-3. DEFINITIONS.

Rule 265-3-.01. Definitions.

The definitions used herein are as follows:

(a) "Act" means the Registration of Geologists Act of 1975.

(b) "Board" means the State Board of Geologists Examiners (State Board of Registration for Professional Geologists).

(c) "Division Director" means the office as established by Georgia Code Chapter 43-1.

(d) "Geology" means that science which treats of the earth in general; investigations of the earth's crust and the rocks and other materials which compose it; and the applied science of utilizing knowledge of the earth and its constituent rocks, minerals, liquids, gases and other materials for the benefit of mankind.

(e) "Geologist" means a person engaged in the practice of geology.

(f) "Public practice of geology" means the performance of geological service or work such as consultation, investigation, survey, evaluation, planning, mapping and inspection of geological work in which the performance is related to public welfare or safeguarding of life, health, property and the environment, except as specifically exempted by the Act. A person shall be construed to practice or offer to practice geology publicly, within the meaning and intent of the Act, who practices any branch of the profession of geology and who by verbal claim, sign advertisement, letterhead, card, or in any other way represents himself to be a geologist, or through the use of some other title implies that he is a geologist or that he is registered under the Act; or who holds himself out as able to perform, or who does perform any geological service or work recognized as geology.

(g) "Registered geologist" means a person who is registered as a geologist under the provisions of the Act.

(h) "Registered geologist in good standing" means a person who is a registered geologist under the provisions of the Act and who has paid fees for the current year.

(i) The term "responsible charge of work" means the independent control and direction by the use of initiative, skill and independent judgment of geological work or the supervision of such work.

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

(k) A "qualified geologist" means a person who possesses all the qualifications specified in the Act for registration except that he is not registered.

Cite as Ga. Comp. R. & Regs. R. 265-3-.01
Authority: O.C.G.A. Secs. 43-1-1, 43-1-2, 43-19-1, 43-19-3, 43-19-6.
History. Original Rule entitled "Definitions" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule of same title adopted. F. May 17, 1979; eff. June 6, 1979.
Amended: F. Aug. 5, 1983; eff. Aug. 25, 1983.
Repealed: New Rule of same title adopted. F. Jan. 16, 1991; eff. Feb. 5, 1991.
Repealed: New Rule of same title adopted. F. Aug. 23, 2005; eff. Sept. 12, 2005.

Chapter 265-4. REGISTRATION TO PRACTICE UNDER TITLE OF REGISTERED GEOLOGIST.

Rule 265-4-.01. Prohibited Acts.

(1) It shall be unlawful for any person other than a registered geologist or a subordinate under the direction of a registered geologist to prepare any geologic plans, reports or documents in which the performance is related to the public welfare or safeguarding of life, health, property or the environment.

(2) It shall be unlawful for any person to publicly practice, or offer to publicly practice geology in this State, as defined in the provisions of the Act, or to use in connection with his name or otherwise assume, or advertise any title or description tending to convey the impression that he is a registered geologist, unless such person has been duly registered or is exempted under the provisions of the Act. The right to engage in the public practice of geology shall be deemed a personal right, based on the qualifications of the individual as evidenced by his Certificate of Registration, and shall not be transferable.

(3) It shall be unlawful for anyone other than a geologist registered under the Act to stamp or seal any plans, plats, reports or other documents with the seal or stamp of a registered geologist or to use in any manner the title "registered geologist" unless registered hereunder.

(4) It shall be unlawful for any person to affix his signature or to stamp or seal any plans, plats, reports or other documents after the certification of the registrant named thereon

has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.

(5) The above provisions do not apply to:

(a) Persons while engaged solely in teaching the science of geology or engaged in non-public geologic research in this State.

(b) Officers and employees of the United States of America or the State of Georgia, practicing solely as such officers or employees; or

(6) A subordinate to a geologist registered under the Act or to a registered engineer insofar as he acts solely in such capacity. This exemption, however, does not permit any such subordinate to practice geology for others in his own right or use the title "registered geologist".

Cite as Ga. Comp. R. & Regs. R. 265-4-.01
Authority: Ga. L. 1975, pp. 259, 260, O.C.G.A. Sec. 43-19-26.
History. Original Rule entitled "Prohibited Acts" was filed on September 24, 1976; effective October 14, 1976.
Amended: Filed May 17, 1979; effective June 6, 1979.
Amended: F. Jan. 16, 1991; eff. Feb. 5, 1991.

Rule 265-4-.02. Minimum Qualifications.

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

(a) Be of good ethical character.

(b) Have graduated from an accredited college or university which has been approved by the Board, with either a major in geology, engineering geology or geological engineering; or have completed 45 quarter hours or the equivalent in geological science courses leading to a major in geology, of which at least 36 hours or the equivalent were taken in the third or fourth years, or in graduate courses.

(c) Have at least seven (7) years of professional geological work which shall include a minimum of three years of professional geological work under the supervision of a registered geologist, a registered civil engineer, or other supervision acceptable to the board. The following criteria of education and experience qualify as specified toward accumulation of the required seven years of professional geological work:

1. Each year of undergraduate study in the geological sciences shall count as one-half year of training up to a maximum of two years, and each year of graduate study shall count as a year of training. Credit will not be granted for experience obtained

concurrently with academic training when such academic training is used to count toward the experience requirement.

2. Credit for undergraduate study, graduate study, graduate courses, thesis or dissertation, individually or in any combination thereof, shall in no case exceed a total of four years toward meeting the requirements for at least seven years of professional geological work as set forth above.

3. The Board may consider in lieu of the above professional geological work as set out in (c) above the cumulative total of professional geological work or geological research of persons who teach as full-time faculty of a college or university, provided such work or research can be demonstrated to be of a sufficiently responsible nature to be equivalent to the professional requirements required above. Research done toward a thesis or dissertation does not apply, nor does teaching.

4. The ability of the applicant shall have been demonstrated by his having performed the work in a responsible position as determined by the Board. The adequacy of the required supervision and experience shall be determined by the Board

(d) Successfully pass such examinations established by the Board designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

Cite as Ga. Comp. R. & Regs. R. 265-4-.02
Authority: O.C.G.A. Sec. 43-19-12.
History. Original Rule entitled "Minimum Qualifications" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Amended: F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule of same title adopted. F. Jan. 16, 1991; eff. Feb. 5, 1991.
Amended: F. Aug. 7, 1991; eff. Aug. 27, 1991.

Rule 265-4-.03. Application.

(1) An application for registration as a geologist shall be made under oath, shall show the applicant's education and a detailed summary of his geological work. The application shall be accompanied by an application fee fixed by the Board and an official transcript of all undergraduate or post graduate college credits used to support meeting eligibility requirements.

(2) Application for registration as a geologist shall be filed on a form prescribed by the Board.

(3) Applications for permission to take the examination, or any parts thereof, must be received in the Board office or bear a United States Postal Service postmark which is a date on or before the deadline date. The deadline date for all parts of the examination

shall be the printed deadline date shown on the current application at the Board's website and/or available at the Board's current office.

(4) An application which is not submitted in proper and complete form will not be accepted by the Board and will be returned by the Division Director with a statement of the reason thereof.

(5) The Board will provide reasonable accommodation to a qualified applicant with a disability in accordance with the Americans with Disabilities Act. The request for an accommodation by an individual with a disability must be made in writing and received in the Board office by the application deadline along with the appropriate documentation as indicated in the *Request for Disability Accommodation Guidelines.*

Cite as Ga. Comp. R. & Regs. R. 265-4-.03
Authority: O.C.G.A. Secs. 43-19-6, 43-19-11.
History. Original Rule entitled "Application" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule of same title adopted. F. Jan. 16, 1991; eff. Feb. 5, 1991.
Amended: F. May 19, 1993; eff. June 8, 1993.
Amended: F. Mar. 6, 1996; eff. Mar. 26, 1996.
Amended: F. Oct. 19, 2007; eff. Nov. 8, 2007.

Rule 265-4-.04. Examinations.

(1) Regular written examinations.

(a) The regular written examination for registration as a geologist shall be administered not less than twice each calendar year, provided there are qualified applicants for the same. The regular examination consists of:

Part I - To examine the applicants general geological education.

Part II - To measure the applicants practical experience in the application of geology.

(2) Authorization to take the examination.

(a) After the Board evaluates the qualifications of an applicant and establishes his eligibility for examination, the Joint Secretary shall assign that applicant to take the next scheduled examination for which his application qualifies him. In order to be eligible to take Part I of the examination, the education requirement described in Rule 265-4-.02(b) must be met. In order to take Part II of the examination, both the education requirement described in Rule 265-4-.02(b) and the experience requirement described in Rule 265-4-.02(c) must be met.

(b) The Joint Secretary shall notify each applicant in writing of the acceptance or rejection of his examination application.

(3) Examination irregularities.

(a) Examinees are forbidden to receive any unauthorized assistance during the examination. Communication between examinees or possession of unauthorized matter or devices during the examination is strictly prohibited.

(b) Only scheduled examinees, Board members, the Joint Secretary and authorized examination personnel shall be admitted to the examination room.

(4) Requirements for passing examination.

(a) Every applicant receiving a predetermined acceptable grade or higher in the prescribed examination shall be deemed to have passed such examination.

(b) Every applicant receiving a grade less than a predetermined acceptable grade in the prescribed examination shall be deemed to have failed such examination and shall have his application denied without prejudice.

Cite as Ga. Comp. R. & Regs. R. 265-4-.04
Authority: O.C.G.A. Sec. 43-19-13.
History. Original Rule entitled "Examinations" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule of same title adopted. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule of same title adopted. F. Jan. 16, 1991; eff. Feb. 5, 1991.

Rule 265-4-.05. Reciprocity.

A person registered to engage in the practice of geology, on the basis of comparable licensing requirements issued to him by proper authority of a state, territory, or possession of the United States, or the District of Columbia, and who, in the opinion of the Board otherwise meets the requirements of the Act based on verified evidence may, upon application, be registered without further examination.

Cite as Ga. Comp. R. & Regs. R. 265-4-.05
Authority: Ga. L. 1975, pp. 262, 263, O.C.G.A. Sec. 43-19-14.
History. Original Rule entitled "Comity" was filed on September 24, 1976; effective October 14, 1976.
Repealed: New Rule entitled "Reciprocity" adopted. F. Jan. 16, 1991; eff Feb. 5, 1991.

Rule 265-4-.06. Certificate of Registration.

(1) The Board shall issue a Certificate of Registration, upon payment of the registration fee as provided to any applicant who, in the opinion of the Board, has satisfactorily met all

the requirements of these Rules and Regulations. Certificates of Registration shall show the full name of the registrant, the date of expiration, and registration number. The issuance of a Certificate of Registration by the Board shall be prima facie evidence that the person named therein is entitled to all the rights and privileges of a registered geologist, while the certificate remains unrevoked or unexpired.

(2) All registrations expire biennially at such time as may be designated by the Board. All applications for renewal shall be filed with the Division Director prior to the expiration date, accompanied by the biennial renewal fee prescribed by the Board. Upon payment of the appropriate fee the Board shall issue a pocket-sized registration card showing name, registration number, and expiration date.

(3) Registrations not renewed prior to the expiration date may be renewed during the six-month late renewal period by submission of the renewal application with the late renewal fee. Failure to renew a registration by the end of the late renewal period shall have the same effect as revocation of the registration. Any person whose registration is revoked for failure to renew must apply for reinstatement on a form provided by the board; reinstatement is granted or denied at the discretion of the Board. Any person who applies for reinstatement more than two years following expiration of the registration may be required by the Board to take and pass the geology examination as a condition for reinstatement.

(4) Neither the failure of the Board to send nor the failure of the registrant to receive a renewal application shall excuse the registrant from failure to timely renew a registration. Unless the registration is renewed before December 31 of odd-numbered years, continued practice after such date shall constitute unlawful practice and is a ground for discipline.

(5) A new Certificate of Registration to replace any certificate lost, destroyed or mutilated may be issued upon payment of a fee provided in Chapter 265-7.

Cite as Ga. Comp. R. & Regs. R. 265-4-.06
Authority: O.C.G.A. Secs. 43-1-2, 43-1-4, 43-1-7, 43-1-19, 43-19-6, 43-19-11, 43-19-15.
History. Original Rule entitled "Certificate of Registration" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule of same title adopted. F. Jan. 16, 1991; eff. Feb. 5, 1991.
Amended: F. Dec. 29, 1998; eff. Jan. 18, 1999.
Repealed: New Rule of same title adopted. F. Aug. 23, 2005; eff. Sept. 12, 2005.

Rule 265-4-.07. Seal.

Each registrant hereunder, upon issuance of a certificate may purchase a seal bearing the registrant's name and the legend "Registered Professional Geologist". The seal shall comply in all respects with the sample, including size and format.

Cite as Ga. Comp. R. & Regs. R. 265-4-.07
Authority: O.C.G.A. Sec. 43-19-19.
History. Original Rule entitled "Seal" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule of same title adopted. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule of same title adopted. F. Jan. 16, 1991; eff. Feb. 5, 1991.

Rule 265-4-.08. Reissuance of Certificates.

The Board, by majority vote of the quorum, may reissue a Certificate of Registration to any person whose certificate has been revoked upon written application to the Board by the applicant, showing good cause to justify such reissuance.

Cite as Ga. Comp. R. & Regs. R. 265-4-.08
Authority: Ga. Code Ann. 84-2123.
History. Original Rule entitled "Reissuance of Certificates" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.

Rule 265-4-.09. Records.

(1) All official records of the Board, or affidavits by the Division Director as to the content of such records, shall be prima facie evidence of all matters required to be kept therein.

(2) Except as provided herein, the following shall be treated as confidential and need not be disclosed:

(a) Applications and other personal information submitted by the applicants, except to the applicant, the Board and its staff.

(b) Information, favorable or unfavorable, submitted by the applicants, except to the applicant, the Board and its staff.

(c) The deliberations of the Board with respect to an application, a complaint or a disciplinary proceeding.

Cite as Ga. Comp. R. & Regs. R. 265-4-.09
Authority: O.C.G.A. Secs. 43-1-2, 43-1-3, 43-19-6 to 43-19-8.
History. Original Rule entitled "Records" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule of same title adopted. F. Jan. 16, 1991; eff. Feb. 5, 1991.

Repealed: New Rule of same title adopted. F. Aug. 24, 2005; eff. Sept. 13, 2005.

Chapter 265-5. PRACTICE AFTER REGISTRATION.

Rule 265-5-.01. Practice of Geology.

(1) The Act does not prohibit one or more geologists from practicing through the medium of a sole proprietorship, partnership or corporation. In a partnership or corporation whose primary activity consists of geological services, at least one partner or officer shall be a registered geologist.

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

(3) Furthermore, the Act shall not be construed to prevent or to affect:

(a) The practice of any profession or trade for which a license is required under any other law of this State, or the practice of registered professional engineers from lawfully practicing soils mechanics, foundation engineering and other professional engineering as provided in the Georgia Code, or licensed architects from lawfully practicing architecture as provided in the Georgia Code; or

(b) The practice of a person not a resident of and having no established place of business in this State, or who has recently become a resident hereof, practicing or offering to practice herein for more than ninety (90) days in any calendar year the profession of geology, if he shall have filed with the Board an application for a Certificate of Registration and shall have paid the fee required by the Act. Such practice shall continue only for such time as the Board requires for the consideration of the applicant for registration.

Cite as Ga. Comp. R. & Regs. R. 265-5-.01
Authority: O.C.G.A. Sec. 43-19-6.
History. Original Rule entitled "Qualifications as a Specialist" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Practice of Geology" adopted. F. May 17, 1979; eff. June 6, 1979.
Amended: F. Jan. 14, 1994; eff. Feb. 3, 1994.

Rule 265-5-.02. Use of Seal.

All drawings, reports, plats, or other geologic papers or documents involving public geologic work as defined in the Act which shall have been prepared or approved by a registered geologist or a subordinate employee under his direction for the use of or for delivery to any person or for public record within this State shall be signed by him and impressed with said seal or the seal of

a nonresident practicing under the provisions of the Act, either of which shall indicate his responsibility for them.

Cite as Ga. Comp. R. & Regs. R. 265-5-.02
Authority: Ga. L. 1975, pp. 163, 172, 173, 1977, pp. 746, 747.
History. Original Rule entitled "Application" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Use of Seal" adopted. May 17, 1979; eff. June 6, 1979.

Rule 265-5-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-5-.03
Authority: O.C.G.A. Sec. 43-19-6.
History. Original Rule entitled "Examinations" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Roster of Registered Geologists" adopted. F. May 17, 1979; eff. June 6, 1979.
Repealed: F. Jan. 16, 1991; eff. Feb. 5, 1991.

Rule 265-5-.04. Address Change.

Each person who is an applicant for registration or a holder of a Certificate of Registration from the Board shall notify the Board within thirty (30) days of any and all changes giving both his old and new address and telephone number.

Cite as Ga. Comp. R. & Regs. R. 265-5-.04
Authority: O.C.G.A. Secs. 43-19-6, 43-19-11.
History. Original Rule entitled "Issuance of Specialty Certificate" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Address Change" adopted. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule of same title adopted. F. Aug. 24, 2005; eff. Sept. 13, 2005.

Rule 265-5-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-5-.05
Authority: Ga. L. 1975, pp. 163, 172, 173, 1977, pp. 746, 747.
History. Original Rule entitled "Seal" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: F. May 17, 1979; eff. June 6, 1979.

Rule 265-5-.06. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-5-.06
Authority: Ga. L. 1975, pp. 163, 177.
History. Original Rule entitled "Reissuance of Specialty Certificate" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: F. May 17, 1979; eff. June 6, 1979.

Chapter 265-6. GEOLOGIST-IN-TRAINING.

Rule 265-6-.01. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-6-.01
Authority: Ga. L. 1975, pp. 163, 109, O.C.G.A. Sec. 43-19-12.
History. Original Rule entitled "Practice of Geology" was filed on September 24, 1976; effective October 14, 1976.
Amended: Rule renumbered as 265-5-.01; Rule 265-7-.01, entitled "Explanation," renumbered as 265-6-.01. Filed May 17, 1979; effective June 6, 1979.
Repealed: F. Jan. 16, 1991; eff. Feb. 5, 1991.

Rule 265-6-.02. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-6-.02
Authority: Ga. L. 1975, pp. 163, 169, O.C.G.A. Sec. 43-19-12.
History. Original Rule entitled "Use of Seal" was filed on September 24, 1976; effective October 14, 1976.
Amended: Rule renumbered as 265-5-.02; Rule 265-7-.02, entitled "Use of Seal," renumbered as 265-6-.02 Filed May 17, 1979; effective June 6.1979.
Repealed: F. Jan. 16, 1991; eff. Feb. 5, 1991.

Rule 265-6-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-6-.03
Authority: Ga. L. 1975, pp. 163, 169 (Ga. Code Ann. 84-2107a); O.C.G.A. Sec. 43-19-12.
History. Original Rule entitled "Roster of Registered Geologists" was filed on September 24, 1976; effective October 14, 1976.
Amended: Rule renumbered as 265-5-.03; Rule 365-7-.03, entitled "Application," renumbered as 265-6-.03. Filed May 17, 1979; effective June 6, 1979.
Amended: Filed August 5, 1983; effective August 25, 1983.
Repealed: F. Jan. 16, 1991; eff. Feb. 5, 1991.

Rule 265-6-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-6-.04
Authority: Ga. L. 1975, pp. 163, 171, O.C.G.A. Sec. 43-19-12.
History. Original Rule entitled "Address Change" was filed on September 24, 1976; effective October 14, 1976.
Amended: Rule renumbered as 265-5-.04; Rule 265-7-.04, entitled "Examination," renumbered as 265-6-.04. Filed May 17, 1979; effective June 6, 1979.
Repealed: F. Jan. 16, 1991; eff. Feb. 5, 1991.

Chapter 265-7. FEES AND COSTS.

Rule 265-7-.01. Method of Payment.

All fees required by the provisions of the Act and the rules of the Board shall be transmitted by money order, bank draft or check payable to the State Board of Registration for Professional Geologists. No fees are refundable.

Cite as Ga. Comp. R. & Regs. R. 265-7-.01
Authority: Ga. L. 1975, pp. 163, 175.
History. Original Rule entitled "Explanation" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Method of Payment" adopted. F. May 17, 1979; eff. June 6, 1979.

Rule 265-7-.02. Schedule of Fees.

The Board hereby adopts by reference a fee schedule that sets forth fees established by the Board. The fee schedule is available by mail and at the Board's website. Fees may be reviewed and changed at the discretion of the Board. A fee payment that is dishonored is subject to the provisions of Code Section 16-9-20 and Rule Chapter 295-14. A fee payment for registration or license, or renewal of a registration or license, that is dishonored will result in the registration or license being removed from active status.

Cite as Ga. Comp. R. & Regs. R. 265-7-.02
Authority: Authority O.C.G.A. Secs. 43-1-2, 43-1-7, 43-19-6, 43-19-11, 43-19-15.
History. Original Rule entitled "Minimum Qualifications" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Schedule of Fees" adopted. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule of same title adopted. F. Mar. 19, 1982; eff. Apr. 8, 1982.
Amended: F. Nov. 2, 1989; eff. Nov. 22, 1989.
Repealed: New Rule of same title adopted. F. Jan. 16, 1991; eff. Feb. 5, 1991.
Amended: F. Nov. 6, 1991; eff. Nov. 26, 1991.
Amended: F. Nov. 29, 1999; eff. Dec. 19, 1999.
Repealed: New Rule of same title adopted. F. Aug. 24, 2005; eff. Sept. 13, 2005.

Rule 265-7-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-7-.03
Authority: O.C.G.A. Sec. 43-19-15.
History. Original Rule entitled "Application" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Expiration of Registration; Initial Fee" adopted. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule entitled "Initial Fee" adopted. F. Mar. 19, 1982; eff. Apr. 8, 1982.
Repealed: F. Nov. 29, 1999; eff. Dec. 19, 1999.

Rule 265-7-.04. Expiration of Registration; Penalty Period; Reinstatement.

(1) The registration shall expire on the 31st of December each odd numbered year.

(2) Late renewal applications submitted during the six month penalty period following expiration must be accompanied by a late renewal fee.

(3) Registrations not renewed prior to the end of the six month penalty period shall not be subject to renewal. Any consideration for registration reinstatement after the six month penalty period would be at the discretion of the Board and requires submission of a reinstatement application with the required reinstatement fee.

Cite as Ga. Comp. R. & Regs. R. 265-7-.04
Authority: O.C.G.A. Secs. 43-1-4, 43-19-6, 43-19-15.
History. Original Rule entitled "Examination" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Date of Filing Fee" adopted. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule entitled "Expiration of Registration; Penalty Period; Reinstatement" adopted. F. Mar. 19, 1982; eff. Apr. 8, 1982.
Amended: F. Nov. 2, 1989; eff. Nov. 22, 1989.
Repealed: New Rule of same title adopted. F. Aug. 24, 2005; eff. Sept. 13, 2005.

Rule 265-7-.05. Date of Filing Fee.

When transmitted through the mail, fees required under provisions of this rule shall be deemed filed on the date shown by the post office cancellation mark appearing on the envelope containing the fee.

Cite as Ga. Comp. R. & Regs. R. 265-7-.05
Authority: Ga. L. 1975, pp. 163, 172.
History. Original Rule entitled "Certificate" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: F. May 17, 1979; eff. June 6, 1979.
Amended: New Rule entitled "Date of Filing Fee" adopted. F. Mar. 19, 1982; eff. Apr. 8, 1982.

Chapter 265-8. STANDARDS OF CONDUCT.

Rule 265-8-.01. Code of Professional Conduct.

Geology is a profession, and the privilege of professional practice requires responsibility, as well as professional knowledge, on the part of each practitioner. Each registered professional geologist shall be guided by the highest standards of business ethics, personal honor and professional conduct.

(a) With high regard for the geological profession and recognizing in the Code of Professional Conduct a set of dynamic principles to guide his services to his fellow men and to his profession, with full knowledge of the responsibility of geologists to safeguard health, safety and public welfare, a registered professional geologist:

1. shall protect to the fullest extent the public welfare and safety;

2. shall not act in any manner which will tend to bring discredit to the honor and dignity of his profession;

3. shall not undertake any type of work with which he is not competent unless he makes full disclosure of his lack of training and/or experience to the appropriate parties prior to undertaking the work;

4. shall not act for his client or employer other than as a faithful agent or trustee and shall protect to the fullest the interest of his employer and/or client so far as is consistent with the law and his professional obligations and ethics;

5. shall not use undue influence or offer commissions or otherwise solicit professional work improperly;

6. shall not voluntarily disclose information concerning the lawful business affairs or technical processes of a client or employer without his consent, provided that this article does not operate to the detriment of public safety;

7. shall not express an opinion which is not founded upon knowledge and honest conviction nor yield to undue and improper pressure;

8. shall not advertise his work or merit in any manner derogatory to the dignity of the profession;

9. will freely give credit for work done by others to whom credit is due and will refrain from plagiarism in oral and written communications, and not knowingly accept credit rightfully due another geologist; and

10. shall not review the public geologic work of another geologist for the same client, except with the knowledge of the other geologist, or unless the connection of the other geologist with the work has been terminated.

(b) It shall be the duty and professional responsibility of every registered geologist to uphold these standards of ethics and to encourage other geologists by example and counsel to adhere to this Code. A registered geologist found by the Board to be in violation of this Code of Professional Conduct shall be subject to loss of registration.

Cite as Ga. Comp. R. & Regs. R. 265-8-.01
Authority: Ga. L. 1975, pp. 163, 176.
History. Original Rule entitled "Method of Payment" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Code of Professional Conduct". F. May 17, 1979; eff. June 6, 1979.

Rule 265-8-.02. Complaints.

Any person may refer charges of fraud, deceit, gross negligence, incompetence or misconduct against any registrant. Such charges shall be written and shall be filed with the Board at the Board office.

Cite as Ga. Comp. R. & Regs. R. 265-8-.02
Authority: O.C.G.A. Secs. 43-1-19, 43-19-6, 43-19-16.
History. Original Rule entitled "Schedule of Fees" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Complaints" adopted. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule of same title adopted. F. Jan. 16, 1991; eff. Feb. 5, 1991.

Repealed: New Rule of same title adopted. F. Aug. 24, 2005; eff. Sept. 13, 2005.

Rule 265-8-.03. Investigation.

The Board shall initiate an investigation of any such complaint and shall hold a hearing on those complaints which it deems of sufficient merit.

Cite as Ga. Comp. R. & Regs. R. 265-8-.03
Authority: Ga. L. 1975, pp. 163, 175.
History. Original Rule entitled "Expiration of Registration; Initial Fee" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Investigation" adopted. F. May 17, 1979; eff. June 6, 1979.

Rule 265-8-.04. Discipline.

(1) The Board shall have the power to suspend, revoke, or refuse to renew the Certificate of Registration of any registrant who is found to have been involved in:

(a) the practice of any fraud or deceit in obtaining a Certificate of Registration;

(b) any gross negligence, incompetence, or misconduct in the practice of Geology as a professional geologist;

(c) any felony or crime involving moral turpitude; or

(d) the commission of any unlawful act as set forth in the Act.

(2) Any such action by the Board in this regard shall be after a hearing is held in accordance with the procedures set forth in the Rules of the Joint Secretary of the State Examining Boards as adopted and amended in Chapter 295 of the Official Compilation of the Rules and Regulations of the State of Georgia which are hereby incorporated herein and by reference made a part hereof.

Cite as Ga. Comp. R. & Regs. R. 265-8-.04
Authority: Ga. L. 1975, pp. 163, 177.
History. Original Rule entitled "Date of Filing Fee" was filed on September 24, 1976; effective October 14, 1976.
Amended: Rule renumbered as 265-7-.04; Rule 265-9-.04, entitled "Discipline," renumbered as 265-8-.04. Filed May 17, 1979; effective June 6, 1979.

Rule 265-8-.05. Misdemeanors.

Any person who shall publicly practice, or offer to publicly practice geology for others in this State without being registered in accordance with the provisions of the Act, or any person presenting or attempting to use as his own the Certificate of Registration 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 member thereof in obtaining a Certificate of Registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked Certificate of Registration or practice at any time during a period the Board has suspended or revoked the Certificate of Registration shall be guilty of a misdemeanor.

Cite as Ga. Comp. R. & Regs. R. 265-8-.05
Authority: Ga. L. 1975, pp. 163, 177, 178.
History. Original Rule entitled "Purchase of Seal from Joint Secretary" was filed on September 24, 1976; effective October 14, 1976.
Amended: Rule repealed; Rule 265-9-.05, entitled "Misdemeanors." renumbered as 265-8-.05. Filed May 17, 1969; effective June 6, 1979.

Chapter 265-9. PROCEDURAL RULES.

Rule 265-9-.01. Procedural Rules.

The Georgia State Board of Registration for Professional Geologists hereby adopts by reference as its permanent rules Chapters 295-3 through 295-13, and any future amendments thereto.

Cite as Ga. Comp. R. & Regs. R. 265-9-.01
Authority: O.C.G.A. Sec. 43-19-6.
History. Original Rule entitled "Code of Professional Conduct" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: New Rule entitled "Procedural Rules" adopted. F. May 17, 1979; eff. June 6, 1979.
Repealed: New Rule of same title adopted. F. Aug. 24, 2005; eff. Sept. 13, 2005.

Rule 265-9-.02. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-9-.02
Authority: Ga. L. 1975, pp. 163, 176.
History. Original Rule entitled "Complaints" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: F. May 17, 1979; eff. June 6, 1979.

Rule 265-9-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-9-.03
Authority: Ga. L. 1975, pp. 163, 176.
History. Original Rule entitled "Investigation" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: F. May 17, 1979; eff. June 6, 1979.

Rule 265-9-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-9-.04
Authority: Ga. L. 1975, pp. 163, 176.
History. Original Rule entitled "Discipline" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.

Repealed: F. May 17, 1979; eff. June 6, 1979.

Rule 265-9-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 265-9-.05
Authority: Ga. L. 1975, pp. 163, 176.
History. Original Rule entitled "Misdemeanors" adopted. F. Sept. 24, 1976; eff. Oct. 14, 1976.
Repealed: F. May 17, 1979; eff. June 6, 1979.