

# VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

## CHAPTER 27

*An Act to amend and reenact §§ 2.1-1.6, 2.1-20.4, 9-6.25:2, 13.1-549, 13.1-1111, 22.1-140, 54.1-300, 54.1-400, 54.1-403 and 54.1-407 of the Code of Virginia, relating to the Board for Architects, Professional Engineers, Land Surveyors and Landscape Architects.*

[H 930]

Approved March 9, 1998

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 2.1-1.6, 2.1-20.4, 9-6.25:2, 13.1-549, 13.1-1111, 22.1-140, 54.1-300, 54.1-400, 54.1-403 and 54.1-407 of the Code of Virginia are amended and reenacted as follows:**

§ 2.1-1.6. State boards.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies affiliated with a state agency within the executive branch:

Accountancy, Board for

Aging, Advisory Board on the

Agriculture and Consumer Services, Board of

Air Pollution, State Advisory Board on

Alcoholic Beverage Control Board, Virginia

Apple Board, Virginia State

Appomattox State Scenic River Advisory Board

Aquaculture Advisory Board

Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects, State Board for

Art and Architectural Review Board

Athletic Board, Virginia

Auctioneers Board

Audiology and Speech-Language Pathology, Board of

Aviation Board, Virginia

Barbers, Board for

Branch Pilots, Board for

Bright Flue-Cured Tobacco Board, Virginia

Building Code Technical Review Board, State

Catoctin Creek State Scenic River Advisory Board

Cattle Industry Board, Virginia

Cave Board

Certified Seed Board, State

Chesapeake Bay Local Assistance Board

Chickahominy State Scenic River Advisory Board

Child Abuse and Neglect, Advisory Board on

Chippokes Plantation Farm Foundation, Board of Trustees

Clinch Scenic River Advisory Board

Coal Mining Examiners, Board of

Coal Research and Development Advisory Board, Virginia

Coal Surface Mining Reclamation Fund Advisory Board

Conservation and Development of Public Beaches, Board on

Conservation and Recreation, Board of

Contractors, Board for

Corn Board, Virginia

Correctional Education, Board of

Corrections, State Board of

Cosmetology, Board for

Criminal Justice Services Board

Dark-Fired Tobacco Board, Virginia

Deaf and Hard-of-Hearing, Advisory Board for the Department for the

Dentistry, Board of

Design-Build/Construction Management Review Board

Education, State Board of

Egg Board, Virginia

Emergency Medical Services Advisory Board, State

Farmers Market Board, Virginia  
 Fire Services Board, Virginia  
 Forestry, Board of  
 Funeral Directors and Embalmers, Board of  
 Game and Inland Fisheries, Board of  
 Geology, Board for  
 Goose Creek Scenic River Advisory Board  
 Health Planning Board, Virginia  
 Health Professions, Board of  
 Health, State Board of  
 Hearing Aid Specialists, Board for  
 Hemophilia Advisory Board  
 Historic Resources, Board of  
 Housing and Community Development, Board of  
 Irish Potato Board, Virginia  
 Juvenile Justice, State Board of  
 Litter Control and Recycling Fund Advisory Board  
 Marine Products Board, Virginia  
 Medical Advisory Board, Department of Motor Vehicles  
 Medicare and Medicaid, Advisory Board on  
 Medicine, Board of  
 Mental Health, Mental Retardation and Substance Abuse Services Board, State  
 Migrant and Seasonal Farmworkers Board  
 Military Affairs, Board of  
 Mineral Mining Examiners, Board of  
 Minority Business Enterprise, Interdepartmental Board of the Department of  
 Networking Users Advisory Board, State  
 Neurotrauma Initiative Advisory Board, Commonwealth  
 North Meherrin State Scenic River Advisory Board  
 Nottoway State Scenic River Advisory Board  
 Nursing, Board of  
 Nursing Home Administrators, Board of  
 Occupational Therapy, Advisory Board on  
 Oil and Gas Conservation Board, Virginia  
 Opticians, Board for  
 Optometry, Board of  
 Peanut Board, Virginia  
 Personnel Advisory Board  
 Pesticide Control Board  
 Pharmacy, Board of  
 Physical Therapy to the Board of Medicine, Advisory Board on  
 Plant Pollination Advisory Board  
 Polygraph Examiners Advisory Board  
 Pork Industry Board, Virginia  
 Poultry Products Board, Virginia  
 Private College Advisory Board  
 Private Security Services Advisory Board  
 Professional and Occupational Regulation, Board for  
 Professional Counselors, Board of  
 Professional Soil Scientists, Board for  
 Psychiatric Advisory Board  
 Psychology, Board of  
 Public Broadcasting Board, Virginia  
 Public Buildings Board, Virginia  
 Radiation Advisory Board  
 Real Estate Appraiser Board  
 Real Estate Board  
 Reciprocity Board, Department of Motor Vehicles  
 Recreation Specialists, Board of  
 Recreational Fishing Advisory Board, Virginia  
 Reforestation Board  
 Rehabilitation Providers, Advisory Board on  
 Rehabilitative Services, Board of  
 Respiratory Therapy, Advisory Board on

Rockfish State Scenic River Advisory Board  
 Safety and Health Codes Board  
 Seed Potato Board  
 Sewage Handling and Disposal Appeal Review Board, State Health Department  
 Shenandoah State Scenic River Advisory Board  
 Small Business Advisory Board  
 Small Business Environmental Compliance Advisory Board  
 Small Grains Board, Virginia  
 Social Services, Board of  
 Social Work, Board of  
 Soil and Water Conservation Board, Virginia  
 Soybean Board, Virginia  
 State Air Pollution Control Board  
 Substance Abuse Certification Board  
 Surface Mining Review, Board of  
 Sweet Potato Board, Virginia  
 T & M Vehicle Dealers' Advisory Board  
 Teacher Education and Licensure, Advisory Board on  
 Transportation Board, Commonwealth  
 Transportation Safety, Board of  
 Treasury Board, The, Department of the Treasury  
 Veterans' Affairs, Board on  
 Veterinary Medicine, Board of  
 Virginia Board for Asbestos and Lead  
 Virginia Coal Mine Safety Board  
 Virginia Correctional Enterprises Advisory Board  
 Virginia Cotton Board  
 Virginia Employment Commission, State Advisory Board for the  
 Virginia Geographic Information Network Advisory Board  
 Virginia Horse Industry Board  
 Virginia Manufactured Housing Board  
 Virginia Retirement System, Board of Trustees  
 Virginia Schools for the Deaf and the Blind, Advisory Commission on the  
 Virginia Sheep Industry Board  
 Virginia Veterans Cemetery Board  
 Virginia Waste Management Board  
 Visually Handicapped, Virginia Board for the  
 Voluntary Formulary Board, Virginia  
 War Memorial Foundation, Virginia, Board of Trustees  
 Waste Management Facility Operators, Board for  
 Water Resources Research Center Statewide Advisory Board, Virginia  
 Waterworks and Wastewater Works Operators, Board for  
 Well Review Board, Virginia.

B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be referred to as boards:

Compensation Board  
 State Board of Elections  
 State Water Control Board  
 Virginia Parole Board  
 Virginia Veterans Care Center Board of Trustees.

§ 2.1-20.4. Bodies receiving compensation.

A. Notwithstanding any other provision of law, the following commissions, boards, etc., shall be those which receive compensation from state funds pursuant to § 2.1-20.3:

Accountancy, Board for  
 Agriculture and Consumer Services, Board of  
 Air Pollution Control Board, State  
 Airports Authority, Virginia  
 Apprenticeship Council  
 Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects, State Board for  
 Athletic Board, Virginia  
 Auctioneers Board  
 Audiology and Speech-Language Pathology, Board of  
 Aviation Board, Virginia

Barbers, Board for  
 Branch Pilots, Board for  
 Building Code Technical Review Board, State  
 Charitable Gaming Commission  
 Chesapeake Bay Local Assistance Board  
 Coal Mining Examiners, Board of  
 College Building Authority  
 Commonwealth Competition Council  
 Commonwealth Transportation Board  
 Conservation and Development of Public Beaches, Board on  
 Conservation and Recreation, Board of  
 Contractors, Board for  
 Correctional Education, Board of  
 Corrections, Board of  
 Cosmetology, Board for  
 Criminal Justice Services Board  
 Deaf and Hard-of-Hearing, Advisory Board for the  
 Dentistry, Board of  
 Education, State Board of  
 Education Loan Authority, Virginia - Board of Directors  
 Elections, State Board of  
 Environment, Council on the  
 Fire Services Board, Virginia  
 Funeral Directors and Embalmers, Board of  
 Game and Inland Fisheries, Board of  
 Geology, Board for  
 Health, State Board of  
 Health Professions, Board of  
 Hearing Aid Specialists, Board for  
 Higher Education, State Council of  
 Historic Resources, Board of  
 Housing and Community Development, Board of  
 Information Management, Council on  
 Juvenile Justice, State Board of  
 Marine Resources Commission  
 Medical Assistance Services, Board of  
 Medical Complaint Investigation Committee  
 Medicine, Board of  
 Mental Health, Mental Retardation and Substance Abuse Services Board, State  
 Milk Commission  
 Mineral Mining Examiners, Board of  
 Motor Vehicle Dealer Board  
 Nursing, Board of  
 Nursing Home Administrators, Board of  
 Occupational Therapy, Advisory Board on  
 Oil and Gas Conservation Board, Virginia  
 Opticians, Board for  
 Optometry, Board of  
 Pesticide Control Board  
 Pharmacy, Board of  
 Physical Therapy, Advisory Board on  
 Port Authority, Board of Commissioners of the Virginia  
 Professional and Occupational Regulation, Board for  
 Professional Counselors, Board of  
 Professional Soil Scientists, Board for  
 Psychology, Board of  
 Public Defender Commission  
 Public School Authority, Virginia  
 Purchases and Supply Appeals Board  
 Real Estate Appraiser Board  
 Real Estate Board  
 Recreation Specialists, Board of  
 Rehabilitative Services, Board of  
 Respiratory Therapy, Advisory Board on

Safety and Health Codes Board  
Seed Potato Board  
Social Services, Board of  
Social Work, Board of  
State Health Department Sewage Handling and Disposal Appeal Review Board  
Substance Abuse Certification Board  
Surface Mining Review, Board of  
Treasury Board  
Veterans' Affairs, Board on  
Veterinary Medicine, Board of  
Virginia Board for Asbestos Licensing  
Virginia Health Planning Board  
Virginia Manufactured Housing Board  
Virginia Veterans Care Center Board of Trustees  
Virginia Waste Management Board  
Visually Handicapped, Virginia Board for the  
Waste Management Facility Operators, Board for  
Water Control Board, State  
Waterworks and Wastewater Works Operators, Board for  
Well Review Board, Virginia.

B. Individual members of boards, commissions, committees, councils, and other similar bodies appointed at the state level and receiving compensation for their services on January 1, 1980, but who will not receive compensation under the provisions of this article, shall continue to receive compensation at the January 1, 1980, rate until such member's current term expires.

§ 9-6.25:2. Policy boards, commissions and councils.

There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the following policy boards, commissions and councils:

Apprenticeship Council  
Athletic Board  
Auctioneers Board  
Blue Ridge Regional Education and Training Council  
Board for Accountancy  
Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects  
Board for Barbers  
Board for Contractors  
Board for Cosmetology  
Board for Geology  
Board for Hearing Aid Specialists  
Board for Opticians  
Board for Professional and Occupational Regulation  
Board for Professional Soil Scientists  
Board for Waterworks and Wastewater Works Operators  
Board of Agriculture and Consumer Services  
Board of Audiology and Speech-Language Pathology  
Board of Coal Mining Examiners  
Board of Conservation and Recreation  
Board of Correctional Education  
Board of Dentistry  
Board of Directors, Virginia Student Assistance Authorities  
Board of Funeral Directors and Embalmers  
Board of Health Professions  
Board of Historic Resources  
Board of Housing and Community Development  
Board of Medical Assistance Services  
Board of Medicine  
Board of Mineral Mining Examiners  
Board of Nursing  
Board of Nursing Home Administrators  
Board of Optometry  
Board of Pharmacy  
Board of Professional Counselors  
Board of Psychology  
Board of Recreation Specialists

Board of Social Services  
 Board of Social Work  
 Board of Surface Mining Review  
 Board of Veterinary Medicine  
 Board on Conservation and Development of Public Beaches  
 Chesapeake Bay Local Assistance Board  
 Child Day-Care Council  
 Commission on Local Government  
 Commonwealth Transportation Board  
 Council on Human Rights  
 Council on Information Management  
 Criminal Justice Services Board  
 Design-Build/Construction Management Review Board  
 Disability Services Council  
 Farmers Market Board, Virginia  
 Interdepartmental Council on Rate-setting for Children's Facilities  
 Library Board, The Library of Virginia  
 Marine Resources Commission  
 Milk Commission  
 Pesticide Control Board  
 Real Estate Appraiser Board  
 Real Estate Board  
 Reciprocity Board, Department of Motor Vehicles  
 Safety and Health Codes Board  
 Seed Potato Board  
 Southside Virginia Marketing Council  
 Specialized Transportation Council  
 State Air Pollution Control Board  
 State Board of Corrections  
 State Board of Elections  
 State Board of Health  
 State Board of Juvenile Justice  
 State Health Department, Sewage Handling and Disposal Appeal Review Board  
 State Library Board  
 State Mental Health, Mental Retardation and Substance Abuse Services Board  
 State Water Control Board  
 Substance Abuse Certification Board  
 Treasury Board, The, Department of the Treasury  
 Virginia Aviation Board  
 Virginia Board for Asbestos and Lead  
 Virginia Fire Services Board  
 Virginia Gas and Oil Board  
 Virginia Health Planning Board  
 Virginia Manufactured Housing Board  
 Virginia Parole Board  
 Virginia Public Broadcasting Board  
 Virginia Soil and Water Conservation Board  
 Virginia Voluntary Formulary Board  
 Virginia Waste Management Board  
 Waste Management Facility Operators, Board for.

§ 13.1-549. Qualifications of shareholders; special provisions for corporations rendering services of architects, professional engineers, land surveyors and certified landscape architects.

A corporation rendering the services of architects, professional engineers, land surveyors and certified landscape architects, or any combination thereof, shall issue not less than two-thirds of its capital stock to individuals duly licensed or otherwise legally authorized to render the services of architect, professional engineer, land surveyor or certified landscape architect, and the remainder of said stock may be issued only to and held by individuals who are employees of the corporation whether or not such employees ~~be~~ *are* licensed or otherwise authorized to render professional services. No other professional corporation may issue any of its capital stock to anyone other than an individual who is duly licensed or otherwise legally authorized to render the same specific professional services as those for which the corporation was incorporated. Notwithstanding the above limitations a professional corporation may issue its stock to a partnership each of the partners of which is duly licensed or otherwise legally authorized to render the same professional services as those for which the corporation was incorporated.

It is further provided, as an additional prerequisite for a corporation engaging in the practice of the

professions of architecture, professional engineering, land surveying, or certified landscape architecture or any combination thereof, that such corporation shall secure a certificate of authority, which may be renewable and may be either general or limited, from the State Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects. Such certificate of authority shall be issued or renewed by the State Board when in its discretion such corporation is in compliance with rules and regulations which shall be promulgated by the said State Board consistent with its jurisdiction to provide adequate safeguards for the public's health, welfare and safety. The fees for a certificate of authority as described above shall be the same fees as provided for in Chapter 4 (§ 54.1-600 *et seq.*) of Title 54.1 of the Code.

§ 13.1-1111. Qualifications of members and managers; special provisions for limited liability companies rendering service of architects, professional engineers, land surveyors and certified landscape architects.

Not less than two-thirds of the membership interests of a professional limited liability company rendering the services of architects, professional engineers, land surveyors and certified landscape architects, or any combination thereof, shall be held by individuals or professional business entities duly licensed or otherwise legally authorized to render the services of architects, professional engineers, land surveyors or certified landscape architects, and the remainder of the membership interests may be held only by individuals who are employees of the professional limited liability company whether or not those employees are licensed or otherwise authorized to render professional services. No other professional limited liability company may have as a member anyone other than an individual or a professional business entity that is duly licensed or otherwise legally authorized to render the same professional services as those for which the professional limited liability company was organized.

As an additional prerequisite for a professional limited liability company's engaging in the practice of the professions of architecture, professional engineering, land surveying, or certified landscape architecture, or any combination thereof, that professional limited liability company shall secure a certificate of authority, which may be renewable and may be either general or limited, from the State Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects. The certificate of authority shall be issued or renewed by the State Board when in its discretion the professional limited liability company is in compliance with rules and regulations which shall be promulgated by the State Board consistent with its jurisdiction to provide adequate safeguards for the public's health, welfare and safety. The fees for a certificate of authority as described above shall be the same fees as provided for in Chapter 4 (§ 54.1-400 *et seq.*) of Title 54.1.

§ 22.1-140. Plans for buildings to be approved by division superintendent.

No public school building or addition or alteration thereto, for either permanent or temporary use, shall be advertised for bid, contracted for, erected, or otherwise acquired until the plans and specifications therefor have been approved in writing by the division superintendent and are accompanied by a statement by an architect or professional engineer licensed by the Virginia Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects that such plans and specifications are, in his professional opinion and belief, in compliance with the regulations of the Board of Education and the Uniform Statewide Building Code. The division superintendent's approval, architect's or engineer's statement, and a copy of the final plans and specifications shall be submitted to the Superintendent of Public Instruction.

§ 54.1-300. Definitions.

As used in this chapter unless the context requires a different meaning:

"Board" means the Board for Professional and Occupational Regulation.

"Certification" means the process whereby the Department or any regulatory board issues a certificate on behalf of the Commonwealth to a person certifying that he possesses the character and minimum skills to engage properly in his profession or occupation.

"Department" means the Department of Professional and Occupational Regulation.

"Director" means the Director of the Department of Professional and Occupational Regulation.

"Inspection" means a method of regulation whereby a state agency periodically examines the activities and premises of practitioners of an occupation or profession to ascertain if the practitioner is carrying out his profession or occupation in a manner consistent with the public health, safety and welfare.

"Licensure" means a method of regulation whereby the Commonwealth, through the issuance of a license, authorizes a person possessing the character and minimum skills to engage in the practice of a profession or occupation which is unlawful to practice without a license.

"Registration" means a method of regulation whereby any practitioner of a profession or occupation may be required to submit information concerning the location, nature and operation of his practice.

"Regulatory board" means the Athletic Board, Auctioneers Board, Board for Accountancy, Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects, Board for Barbers, Board for Branch Pilots, Board for Contractors, Board for Cosmetology, Board for Geology, Board for Hearing Aid Specialists, Board for Opticians, Board for Professional Soil Scientists, Board for Waterworks and Wastewater Works Operators, Real Estate Appraiser Board, Real

Estate Board and Board for Waste Management Facility Operators.

§ 54.1-400. Definitions.

As used in this chapter unless the context requires a different meaning:

"Architect" means a person who, by reason of his knowledge of the mathematical and physical sciences, and the principles of architecture and architectural design, acquired by professional education, practical experience, or both, is qualified to engage in the practice of architecture and whose competence has been attested by the Board through licensure as an architect.

The "practice of architecture" means any service wherein the principles and methods of architecture are applied, such as consultation, investigation, evaluation, planning and design, and includes the responsible administration of construction contracts, in connection with any private or public buildings, structures or projects, or the related equipment or accessories.

"Board" means the Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects.

"Certified interior designer" means a design professional who meets the criteria of education, experience, and testing in the rendering of interior design services established by the Board through certification as an interior designer.

"Certified landscape architect" means a person who, by reason of his special knowledge of natural, physical and mathematical sciences, and the principles and methodology of landscape architecture and landscape architectural design acquired by professional education, practical experience, or both, is qualified to engage in the practice of landscape architecture and whose competence has been attested by the Board through certification as a landscape architect.

The "practice of landscape architecture" by a certified landscape architect means any service wherein the principles and methodology of landscape architecture are applied in consultation, evaluation, planning (including the preparation and filing of sketches, drawings, plans and specifications) and responsible supervision or administration of contracts relative to projects principally directed at the functional and aesthetic use of land.

"Improvements to real property" means any valuable addition or amelioration made to land and generally whatever is erected on or affixed to land which is intended to enhance its value, beauty or utility, or adapt it to new or further purposes. Examples of improvements to real property include, but are not limited to, structures, buildings, machinery, equipment, electrical systems, mechanical systems, roads, and water and wastewater treatment and distribution systems.

"Interior design" by a certified interior designer means any service rendered wherein the principles and methodology of interior design are applied in connection with the identification, research, and creative solution of problems pertaining to the function and quality of the interior environment. Such services relative to interior spaces shall include the preparation of documents for nonload-bearing interior construction, furnishings, fixtures, and equipment in order to enhance and protect the health, safety, and welfare of the public.

"Land surveyor" means a person who, by reason of his knowledge of the several sciences and of the principles of land surveying, and of the planning and design of land developments acquired by practical experience and formal education, is qualified to engage in the practice of land surveying, and whose competence has been attested by the Board through licensure as a land surveyor.

The "practice of land surveying" includes surveying of areas for a determination or correction, a description, the establishment or reestablishment of internal and external land boundaries, or the determination of topography, contours or location of physical improvements, and also includes the planning of land and subdivisions thereof. The term "planning of land and subdivisions thereof" shall include, but not be limited to, the preparation of incidental plans and profiles for roads, streets and sidewalks, grading, drainage on the surface, culverts and erosion control measures, with reference to existing state or local standards.

"Professional engineer" means a person who is qualified to practice engineering by reason of his special knowledge and use of mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design acquired by engineering education and experience, and whose competence has been attested by the Board through licensure as a professional engineer.

The "practice of engineering" means any service wherein the principles and methods of engineering are applied to, but are not necessarily limited to, the following areas: consultation, investigation, evaluation, planning and design of public or private utilities, structures, machines, equipment, processes, transportation systems and work systems, including responsible administration of construction contracts. The term "practice of engineering" shall not include the service or maintenance of existing electrical or mechanical systems.

"Responsible charge" means the direct control and supervision of the practice of architecture, professional engineering, or land surveying.

§ 54.1-403. Board members and officers; quorum.

A. The Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects shall be composed of thirteen members as follows: three architects, three professional engineers, three land surveyors, two certified landscape architects and two certified interior



designers. However, the two certified interior designer members initially appointed to the Board shall be qualified for certification pursuant to this chapter. Each interior designer appointment to the Board may be made from nominations submitted by the Council of Certified Virginia Interior Designers, who shall nominate three persons for each interior designer vacancy. In no case shall the Governor be bound to make any appointment from the nominees.

Board members shall have actively practiced or taught their professions for at least ten years prior to their appointments. The terms of Board members shall be four years *unless otherwise provided in subsection B*.

The Board shall elect a president *and vice-president* from its membership.

Eight Board members, consisting of two engineers, two architects, two land surveyors, one certified landscape architect and one interior designer, shall constitute a quorum.

*B. 1. Of the 1998 appointments, the terms shall be as follows: the landscape architect shall serve a one-year term, one interior designer shall serve a two-year term and one interior designer shall serve a four-year term. Of the 2000 appointments, the terms shall be as follows: one architect shall serve a three-year term, one architect shall serve a four-year term, one professional engineer shall serve a two-year term, one professional engineer shall serve a four-year term, one land surveyor shall serve a two-year term, and one land surveyor shall serve a three-year term. Of the 2001 appointments, the terms shall be as follows: the architect shall serve a four-year term, the professional engineer shall serve a four-year term, the land surveyor shall serve a three-year term, and the landscape architect shall serve a four-year term.*

*2. Any appointments to a term of less than four years as specified in subdivision 1 shall not be considered a full term pursuant to § 54.1-107.*

§ 54.1-407. Land surveying.

Notwithstanding the provisions of any regulation promulgated by the Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects, a land surveyor shall not be required by Board regulations to set corner monumentation or perform a boundary survey on any property when (i) corner monumentation has been set or is otherwise required to be set pursuant to the provisions of a local subdivision ordinance as mandated by ~~§ 15.1-465~~ *15.2-2240* or subdivision 7 of ~~subsection A of § 15.1-466~~ *§ 15.2-2241*, or where the placing of such monumentation is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty, or (ii) the purpose of the survey is to determine the location of the physical improvements on the said property only, if the prospective mortgagor or legal agent ordering the survey agrees in writing that such corner monumentation shall not be provided in connection with any such physical improvements survey. The provisions of this section shall apply only to property located within the Counties of Arlington, Fairfax, King George, Loudoun, Prince William, Spotsylvania and Stafford; and the Cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Manassas and Manassas Park.