

## CHAPTER 341

AN ACT to extend Route S-4-A by adding Route S-4-A extension to the State highway system.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

New road.

1. The State Highway Commissioner shall, as soon as practicable and in accordance with the procedure set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the present State highway system the following described route:

Route S-4-A.

Route No. S-4-A extension. Beginning at the southerly terminus of Route S-4-A on Little Beach and from thence to the city of Brigantine.

2. This act shall take effect immediately.

Approved June 14, 1938.

## CHAPTER 342

AN ACT concerning the practice of professional engineering and land surveying (Revision of 1938), and repealing chapter eight, Title 45, of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Professional engineers and surveyors to be licensed.

1. In order to safeguard life, health and property any person practicing or offering to practice professional engineering or land surveying in this State, shall hereafter be required to submit evidence that he or she is qualified so to practice and shall be licensed as hereinafter provided and from and after the date upon which this chapter becomes

effective, it shall be unlawful for any person to practice or to offer to practice professional engineering or land surveying in this State, or to use the title engineer or surveyor or any other title, sign card or device in such manner as to tend to convey the impression that such person is practicing professional engineering or land surveying or is a professional engineer or land surveyor, unless such person is duly licensed under the provisions of this chapter. Every holder of a license shall display it in a conspicuous place in his principal office, place of business or employment.

License displayed.

Nothing in this act shall be construed as requiring licensing for the purpose of practicing professional engineering or land surveying by any person, firm or corporation upon property owned or leased by such person, firm or corporation, unless the same involves the public safety or health.

Construing.

2. Definitions. (a) The term "professional engineer" as used in this chapter shall mean a person who by reason of his or her knowledge of mathematics, the physical sciences, and the principles of engineering, acquired by professional education and practical experience, is qualified to engage in engineering practice as hereinafter defined.

Terms defined:

Professional engineer;

(b) The practice of professional engineering within the meaning of this chapter includes any professional service such as consultation, investigation, evaluation, planning, design, or responsible supervision of construction or operation in connection with any public or private engineering or industrial project. The practice of professional engineering shall not include the work ordinarily performed by persons who operate or maintain machinery or equipment. The provisions of this chapter shall not be construed to prevent or affect the employment of architects in connection with engineering projects within the scope of the act to regulate the practice of architecture and all the amendments and supplements thereto.

Practice of professional engineering;

Construing.

Land surveyor;	(c) The term "land surveyor" as used in this chapter shall mean a person who engages in the practice of land surveying as hereinafter defined.
Practice of land surveying;	(d) The practice of land surveying within the meaning and intent of this chapter includes surveying of areas for their correct determination and description and for conveyancing, or for the establishment or re-establishment of land boundaries and the plotting of lands and subdivisions thereof.
Board.	(e) The term "board" as used in this chapter shall mean the State Board of Professional Engineers and Land Surveyors.
Board created.	3. To carry out the provisions of this chapter, there is hereby created an examining board for the licensing of professional engineers and land surveyors, which board shall consist of five (5) members who shall be appointed by the Governor of the State of New Jersey, with the advice and consent of the Senate, within sixty days after the passage of this chapter, or as soon as practicable thereafter. The members of said board shall be appointed to serve for the term of five (5) years. Each member shall hold office after the expiration of his term until his successor shall be duly appointed or qualified. The term of office of the members of said board shall commence on the first day of May. Vacancies in the membership of the board, however created, shall be filled by appointment of the Governor from nominees recommended by the representative professional engineering societies of this State, with the advice and consent of the Senate, for the unexpired term. Notwithstanding anything herein contained, the present members of the State Board shall continue in office as members of said board until their present respective terms expire.
Members.	
Confirmation.	
Terms.	
Hold over.	
Terms to begin May 1.	
Vacancies.	
Present members to continue.	
Name.	4. Said board, when so appointed, shall be designated and known as the "State Board of Professional Engineers and Land Surveyors."
Qualifications of members.	No person shall be appointed upon said board who is not a citizen of the United States and a resident of this State at the time of his appoint-

ment, and who has not been engaged in the practice of professional engineering at least ten (10) years, and who shall not have been in responsible charge of professional engineering or land surveying for at least five (5) years.

After the passage of this chapter appointments to the board to fill expired terms shall be made by the Governor from nominees recommended by the representative professional engineering societies of the State, with the advice and consent of the Senate.

Appointments for expired terms.

The Governor may remove any member of the board after hearing, for misconduct, incompetency, neglect of duty or for any other sufficient cause.

Removal of members.

At least one member of said examining board qualified as set forth in section four, paragraph one, of this chapter, shall also be a licensed land surveyor.

One member to be licensed land surveyor.

After this chapter becomes effective, no person shall be appointed as a member of said examining board who shall not be a licensed professional engineer under the provisions of this chapter.

Other members to be professional engineers.

The members of said examining board shall receive no compensation for their services, but shall be reimbursed for all necessary traveling, hotel, incidental and clerical expenses, incurred in carrying out the provisions of this chapter; *provided, however,* that the total of such expenses shall not exceed the total receipts from fees during any fiscal year.

No compensation.

Expenses paid.

5. Each member of the examining board before entering upon the duties of his office, shall subscribe to an official oath of office as provided by section 41:1-3 of the Title Oaths and Affidavits, which oath shall be filed in the office of the Secretary of State.

Proviso.

Oath.

The examining board shall be entitled to the services of the Attorney-General in connection with the affairs of the board and the board shall have power to compel the attendance of witnesses, and any member thereof may administer oaths and the board may take testimony and proofs concerning any matters within its jurisdiction.

Entitled to services of Attorney-General.

By-laws and rules.

The board shall have the power to make all by-laws and rules, not inconsistent with the Constitution and laws of the State, which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it. The board shall adopt and have an official seal.

Subpœna witnesses and records.

In carrying into effect the provisions of this chapter, the board may, under the hand of its president and the seal of the board, subpœna witnesses and compel their attendance, and also may require the production of books, papers, documents, etc., in a case involving the revocation of license or practicing or offering to practice without license. If any person shall refuse to obey any subpœna so issued, or shall refuse to testify or produce any books, papers or documents, the board may present its petition to any justice of the State Supreme Court setting forth the facts, and thereupon such court shall, in proper case, issue a subpœna to such person, requiring attendance before such court and there to testify or to produce such books, papers and documents as may be deemed necessary and pertinent to the board. Any person failing or refusing to obey the subpœna or order of said court may be proceeded against in the same manner as for refusal to obey any other subpœna or order of the said court.

Contempt of court.

Annual meeting and organization.

6. Said examining board shall at its annual meeting to be held in April meet and organize by electing a president, vice-president, treasurer and secretary, and appoint one or more investigators and such other assistants as may be required, who shall hold their respective offices for not more than one (1) year or until their successors have been elected or appointed and have qualified.

Bond of secretary and treasurer.

The secretary and treasurer shall give bond for the faithful performance of their duties in such sum as the board shall determine.

Secretary and investigators salary.

The secretary and investigators shall not be members of the board and shall receive such salaries as the board shall determine; *provided, how-*

Proviso.

*ever*, that the total of such salaries and expenses incident thereto together with all other expenses shall not exceed the total receipts from fees during any fiscal year.

Said board shall meet at least semiannually and special meetings may be held at such times as the by-laws of the board may provide. Meetings.

Notice of all meetings shall be given in the manner provided by the by-laws. Notice of meeting.

A quorum of the examining board shall consist of three (3) members. Quorum.

7. The secretary of the board shall receive and account for all moneys derived from the operation of this chapter and shall pay therefrom, upon resolution of the board, all expenses incurred by the said board, including salaries, in carrying out the provisions of this chapter. Accounts kept by secretary.

An itemized account of all receipts and expenditures of the board shall be kept by the said secretary and a detailed report thereof, verified by the affidavit of said secretary, shall be filed with the Secretary of State within twenty days after the close of the fiscal year. Annual report filed.

The Secretary of State shall be paid such fees for filing the report as are now paid for filing similar reports in his office. All surplus in the hands of the board at the end of the fiscal year shall be paid to the State Treasurer. Filing fees. Surplus paid to State Treasurer.

8. The examining board shall keep a record of its proceedings and a roster of all applicants for license, showing for each the date of application, name, age, education and other qualifications, place of business and place of residence, whether or not an examination was required and whether the applicant was rejected or a certificate of license granted, and the date of such action. Record kept by examining board.

The books and register of the examining board shall be prima facie evidence of all matters recorded therein. The roster showing the names and places of business and residence of all licensed professional engineers and land surveyors shall be prepared by the secretary of the board during the Roster of licensees mailed to each municipal official and licensee.

month of June of each year; such roster shall be printed and a copy mailed to each licensee and a copy mailed to the clerk of each city, town, township, village, borough, county and other municipal corporation of this State, which roster shall be placed on file in the office of said clerk.

## Application.

9. Applications for license shall be on forms prescribed and furnished by the board, shall contain statements under oath, showing the applicant's education and detailed summary of his or her technical work, and shall contain not less than five references, of whom three or more shall be licensed engineers having personal knowledge of his or her engineering experience.

## Fee for professional engineer.

The license fee for professional engineers shall be twenty-five dollars (\$25.00) or when the applicant applies for license to practice engineering and land surveying, when the fee shall be thirty-five dollars (\$35.00), and in either case ten dollars (\$10.00) shall accompany the application, the remainder to be paid upon notification that application has been approved subject to such final payment, when license certificate will be issued.

## Fee for land surveyor.

The license fee for land surveyors shall be twenty-five dollars (\$25.00) of which ten dollars (\$10.00) shall accompany the application, the remainder to be paid upon notification that application has been approved subject to such final payment, when license certificate will be issued.

## Initial fee retained.

Should the board deny the issuance of a license certificate to any applicant for professional engineer's license or for land surveyor's license, the initial fee of ten dollars (\$10.00) shall be retained.

## Fee for national engineer.

When a certificate of qualification issued by the National Bureau of Engineering Registration is accepted as evidence of qualification, the total fee for license as professional engineer shall be fifteen dollars (\$15.00) and shall accompany the application.

## Minimum qualifications:

The following shall be considered as minimum evidence satisfactory to the board that the appli-

cant is qualified for license as a professional engineer, or land surveyor, respectively, to wit:

(1) As a professional engineer:

a. Graduation from an approved course in engineering of four years or more in a school or college approved by the board of satisfactory standing; and a specific record of an additional four years or more of active practice in engineering work of a character satisfactory to the board, and indicating that the applicant is competent to be placed in responsible charge of such work; or

Academic requirements;

Experience;

b. Successfully passing a written, or written and oral, examination designed to show knowledge and skill approximating that attained through graduation from an approved four-year engineering course; and a specific record of eight years or more of active practice in engineering work of a character satisfactory to the board and indicating that the applicant is competent to be placed in responsible charge of such work; or

Passing examination;

Experience.

c. A specific record of twelve years or more of lawful practice in professional engineering work of a character satisfactory to the board and indicating that the applicant is qualified to design or to supervise construction of engineering works and provided applicant is not less than thirty-five years of age; or

Experience;

d. A certificate of qualification issued by the National Bureau of Engineering Registration may, in the discretion of the board, be accepted as minimum evidence satisfactory to the board that the applicant is qualified for license as a professional engineer.

Certificate of qualification issued by the National Bureau of Engineering.

(2) As a land surveyor:

a. Graduation from an approved course in surveying in a school or college approved by the board as satisfactory standing; and an additional two years or more of actual practice in land surveying work of a character satis-

Land surveyor:

Academic requirements;

Experience;



factory to the board and indicating that the applicant is competent to be placed in responsible charge of such work, or

Passing examination;

b. Successfully passing a written, or written and oral, examination in surveying prescribed by the board; and a specific record of four years or more of active practice in land surveying work of a character satisfactory to the board and indicating that the applicant is competent to be placed in responsible charge of such work, or

Experience;

Experience;

c. A specific record of twelve years or more of lawful practice in land surveying work of a character satisfactory to the board and provided applicant is not less than thirty-three years of age.

Age and citizenship.

No person shall be eligible for license as a professional engineer or land surveyor who is under twenty-one years of age and who is not a citizen of the United States or who has not made declaration of his or her intention to become a citizen of the United States, or who does not speak and write the English language, or who is not of good character and reputation.

The satisfactory completion of each year of an approved course in engineering in a school or college approved by the board as of satisfactory standing, without graduation, shall be considered as equivalent to one-half years of active practice.

Credit for attending school.

Graduation in a course of four years or more, other than engineering, from a college or university of recognized standing shall be considered as equivalent to two years of active practice.

Construing as to experience.

In considering the qualifications of applicants, engineering teaching may be construed as engineering experience.

The mere execution, as a contractor, of work designed by a professional engineer, or the supervision of construction of such work as a foreman or superintendent shall not be deemed to be active practice of engineering work.

Any person having the necessary qualification prescribed in this chapter to entitle him or her to license shall be eligible for such license though he or she may not be practicing his or her profession at the time of making the application.

Eligible for license although not practicing.

Applicants for license, in cases where the evidence originally presented in the application does not appear to the board to be conclusive, or to warrant the issuance of a certificate, may present further evidence for the consideration of the board which may include the results of a required examination.

May present additional evidence of qualifications.

In determining the qualifications of applicants for license as professional engineers or land surveyors, character shall be given predominant weight and a majority of vote of the members of the board shall be required to pass upon the issuance of a license to any applicant.

Determining qualifications.

The scope of the examination and methods of procedure shall be prescribed by the board with special reference to the applicant's ability to design and supervise engineering works so as to insure the safety of life, health and property. Examinations shall be given for the purpose of determining the qualifications of applicants for license separately in professional engineering and in land surveying. A candidate failing on examination may apply for re-examination at or after the expiration of six months and will be re-examined without payment of additional fee. Subsequent examinations will be granted upon the payment of a fee to be determined by the board and not to exceed ten dollars (\$10.00).

Scope of examination.

Re-examination.

Subsequent examinations.

10. Certificates. The board shall issue a license certificate upon payment of the license fee as provided in this chapter, to any applicant who, in the opinion of the board has satisfactorily met all the requirements of this chapter. In the case of a licensed engineer the certificate shall authorize the practice of the applicant as a "professional engineer" solely under that title and in the case of a licensed land surveyor as a "land surveyor" solely

Issuing license certificates.

- under that title, or as "professional engineer and land surveyor" when the applicant qualifies in both respects. Certificates of license shall show the full name of the licensee, shall have a serial number and shall be signed by the president and the secretary of the board under the seal of the board. The issuance of a license certificate by this board shall be evidence that the person named therein is entitled to all the rights and privileges of a licensed engineer or a licensed land surveyor, or as both as the case may be, while said certificate remains unrevoked or unexpired.
- Contents of certificate.** Each licensed "professional engineer" or "land surveyor" shall upon receipt of license, obtain a seal of design authorized by the board, bearing his or her name, license number and the legend "Licensed Professional Engineer and Land Surveyor" if so licensed. Plans, specifications, plats, and reports issued by the licensee shall be stamped with the said seal when filed with public authorities, during the life of the licensee's certificate, but it shall be unlawful for anyone to stamp or seal any documents with said seal after the certificate of the licensee named thereon has expired or has been revoked, unless said certificate shall have been renewed or re-issued. The exact method of fulfilling the requirement as to the stamping of documents shall be regulated by the board.
- Licensee to obtain seal.** All professional engineers licensed by this board prior to the passage of this chapter, shall continue to practice under the various classifications heretofore granted and within the branches of engineering indicated or may, upon application therefor, and the payment of a fee of five dollars (\$5.00) receive a new certificate under the title "professional engineer"; *provided*, said professional engineer presents evidence satisfactory to the board of his qualifications to practice in the field of general engineering comprehended in the title "professional engineer."
- Use of seal.** All licenses granted by the board shall be recorded by the board in the office of the Secretary
- To continue to practice under present classification.**
- Proviso.**
- Licenses recorded by Secretary of State.**

of State, in a book kept for that purpose and any recording fee as may be provided by law shall be paid by the applicant before the license is delivered.

11. Expirations and renewals. License certificates shall expire on the thirtieth day of April following issuance or renewal and shall become invalid on that day unless renewed. Licensees shall apply for renewal on or before the thirtieth day of April of each year. It shall be the duty of the secretary of the board to notify all persons licensed under this chapter of the date of the expiration of their certificates and the amount of the fee that shall be required for their renewal for one year; such notice shall be mailed at least one month in advance of the date of expiration of said certificate. Renewal may be effected at any time during the month of April by the payment of the following fees, to wit:

Expirations  
and renewals.

As professional engineer, five dollars (\$5);

As professional engineer and land surveyor, five dollars (\$5);

As licensee under one or more of the special titles in professional engineering and land surveying designated by the board prior to the passage of this chapter, five dollars (\$5);

As land surveyor, five dollars (\$5).

Schedule of  
fees for  
renewals.

The failure on the part of the licensee to renew his or her certificate annually in the month of April as required shall not deprive such person of the right of renewal during the ensuing year but the fee to be paid for the renewal of a certificate after the thirtieth day of April shall be increased two dollars (\$2) for every three months or fraction thereof that payment of renewal is delinquent; *provided, however*, that the maximum fee for delinquent renewal shall not exceed twice the normal renewal fee. One notice to the licensee, by registered mail, on or before April fifteenth, addressed to his or her last place of residence known to the board, informing him or her of his or her failure to have applied for renewal of his or her license,

Fee increased  
for renewal.

Proviso.

Notice to  
renew license.

shall constitute legal notification of such delinquency by the board.

Failure to  
renew license  
for one year  
to revoke.

The failure on the part of the licensee to renew his or her certificate within one year from the date of the expiration of said license will automatically revoke such license and the right of the person to practice thereafter shall be restored only by a new application for license in the regular manner and the favorable action of the board. Continuing to practice as a "professional engineer" or as a "land surveyor" after the expiration of his or her license shall render the person so doing liable to all the penalties prescribed for practicing without a license.

Penalty for  
continuing  
practice.

Grounds for  
revoking  
license.

12. The examining board shall have the power to revoke the certificate of license of any professional engineer or land surveyor licensed hereunder who is found guilty by said board of any fraud or deceit in obtaining a certificate of license, or of gross negligence, incompetency or misconduct in the practice of engineering or land surveying.

Preferring  
charges.

Any person may prefer charges of such fraud, deceit, negligence, incompetency or misconduct against any professional engineer or land surveyor hereunder.

Action upon  
charges.

Such charges shall be in writing and sworn to by the complainant and submitted to the board. Such charges unless dismissed without hearing by the board as unfounded or trivial, shall be heard and determined by the board within three (3) months after the date on which they are preferred.

Hearing.

The time and place for such hearing shall be fixed by the board. A copy of the charges, together with a notice of the time and place of hearing shall be personally served on the accused by the board at least thirty (30) days before the day fixed for the hearing, and in the event that such service cannot be effected thirty (30) days before such hearing, then the date of hearing and determination shall be postponed as may be necessary to permit the carrying out of this execution. At said hearing the accused shall have the right to

appear personally and by counsel and to cross examine witnesses against him or her and to produce evidence and witnesses in his or her defense. If after said hearing three or more members of the board vote in favor of finding the accused guilty of any fraud or deceit in obtaining a certificate, or of gross negligence, incompetency or misconduct in the practice of professional engineering or land surveying, the board shall revoke the certificate of license of the accused. The board may under circumstances which to it may seem proper, reissue a certificate of license to any person whose certificate has been so revoked.

A new certificate of license to replace any certificate lost, destroyed or mutilated, may be issued subject to the rules and regulations of the board. A charge of three dollars (\$3.00) shall be made for such reissuance.

Fee for lost, etc., certificate.

13. Any person who, hereafter, is not legally authorized to practice professional engineering or land surveying in this State according to the provisions of this chapter, who shall so practice or offer so to practice in this State, except as provided in section fourteen of this chapter, or any person presenting or attempting to file as his own the certificate of license of another, or who shall give false or forged evidence of any kind to the board, or to any member thereof, in obtaining a certificate of license, or who shall falsely impersonate another licensed practitioner of like or different name, or who shall use or attempt to use an expired certificate of license or an unexpired and revoked certificate of license, shall be deemed guilty of a misdemeanor and punishable upon conviction thereof by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or by imprisonment for a term of not exceeding three months, or by both fine and imprisonment.

Penalty for practice without license.

All fines collected for the violation of any of the provisions of this chapter shall be paid to the secretary of this board to be held, disposed and ac-

Disposition of fine collected.

counted for by him as herein directed, and it shall be the duty of the county treasurer of each county, or the treasurer of any municipality, upon receipt by him of any such fine, to forthwith pay over same to the secretary of the board. The board or any member or officer thereof may prefer a complaint for violation of this chapter before any court, tribunal or magistrate having jurisdiction and may by its officers, counsel and agents, aid in presenting the law or facts before said court, tribunal or magistrate in any proceeding taken thereon, and it shall be the duty of the prosecutor of the pleas of the counties in this State to prosecute all violations of the provisions of this chapter.

**Exemptions:** 14. The following shall be exempted from the provisions of this chapter:

**Nonresidents;** (1) A person not a resident of and having no established place of business in this State, practicing or offering to practice herein the profession of engineering or land surveying, when such practice does not exceed in the aggregate thirty days in any calendar year; *provided*, such person is legally qualified by license to practice the said profession in any state or country in which the requirements and qualifications for obtaining a certificate of license are not lower than those specified in this chapter.

**New residents;** (2) A person not a resident of and having no established place of business in this State, or who has recently become a resident thereof, practicing or offering to practice herein for more than thirty days in any calendar year the profession of engineering or land surveying, if he shall have filed with the board an application for a certificate of license and shall have paid the fee required by this chapter; *provided*, that such a person is legally qualified to practice said profession in any State or country in which the requirements and qualifications for obtaining a license are not lower than those specified in this chapter. Such exemption shall continue only for such time as the board requires for the consideration of the application for license.

**Proviso;**

(3) An employee or a subordinate of a person holding a license under this chapter or an employee of a person exempted from license by subsections (1) and (2) of this section; *provided*, this practice does not include responsible charge of design or supervision.

Employees of licensee;

Proviso;

(4) Officers and employees of the Government of the United States while engaged within this State in the practice of engineering or land surveying, for said Government.

Civil employees;

(5) The practice of engineering or land surveying solely as an officer or employee of a corporation engaged in interstate commerce as defined in an act of Congress entitled "Act to regulate commerce," approved February fourth, one thousand eight hundred and eighty-seven, and as amended, unless the same affects public safety or health.

Officers of corporation engaged in interstate commerce.

15. Hereafter no county, city, town, township, village, borough or other municipal corporations or other political subdivisions in the State shall engage in the construction or maintenance of any public work involving professional engineering for which plans, specifications and estimates have not been made by, and the construction and maintenance supervised by a licensed professional engineer or a registered architect, nor shall any county, city, town, township, village, borough or other municipal corporation or other political subdivision in the State employ any person to perform work involving land surveying except a licensed land surveyor.

Licensed engineer to supervise municipal works.

16. No department, institution, commission, board or body of the State Government, or any political subdivision thereof shall designate, appoint or employ an engineer in responsible charge other than a duly qualified professional engineer who has been licensed by the State of New Jersey, prior to the designation, appointment or employment by such department, institution, commission, board or body of the State Government, or any political subdivision thereof.

State to employ licensed engineer.



Not to affect  
previous  
appointments.

Notwithstanding any thing in this chapter to the contrary no engineer licensed in this State prior to the passage of this chapter and holding an appointment by the State or by any department, institution, commission, board or body of the State Government, or any political subdivision thereof shall be deprived of the right of reappointment to the same office or position or appointment to any other office or position requiring similar qualifications.

Name filed  
with board.

Civil Service  
appointments.

To employ  
licensed  
engineers or  
surveyors.

Proviso.

Sign dis-  
played.

17. The clerk of such department, institution, commission, board or body of the State Government or political subdivision thereof shall file with the secretary of the State Board of Professional Engineers and Land Surveyors the name of any engineer designated, appointed or employed, within thirty days after appointment. Where engineers or land surveyors are employed, subject to the provisions of the civil service law, the appointment of any such person shall be understood to mean and include appointment after such person has been certified as having satisfactorily passed a civil service examination. No person, firm, association or corporation engaged in engineering or land surveying, shall employ an engineer or land surveyor, in responsible charge of any work, other than a duly qualified professional engineer or land surveyor, who has been licensed pursuant to the provisions of this chapter, prior to such employment by the person, firm, association or corporation so engaged in engineering or land surveying; *provided, however*, that nothing in this chapter shall apply to any public utility as defined in chapter two of Title 48 of the Revised Statutes, or any employee thereof or to any improvement or proposed improvement made by any such public utility or by any employee of or any contractor or agent for said public utility.

18. All licensed land surveyors making any survey under the name of such licensee shall, from and after the passage of this chapter, maintain a place of business, upon which place of business

there shall be conspicuously displayed a sign, which sign shall contain the name and address of such licensee; and, further, the words "Licensed Land Surveyor." Any person violating the provisions hereof shall be guilty of a misdemeanor and punishable by a fine not exceeding one hundred dollars (\$100.00), and all proceedings shall be in the same manner as is provided for penalties authorized by this chapter.

Penalty.

19. No department, institution, commission, board or body of the State Government, or any political subdivision thereof, being the depository or having the custody of any plan or specification involving professional engineering shall receive or file any plan or specification involving professional engineering unless there shall be attached thereto the certificate and seal of a professional engineer licensed pursuant to the provisions of this chapter or the seal of a registered architect thereon nor receive or file any plan or specification involving land surveying unless there shall be attached thereto the certificate and seal of a land surveyor licensed pursuant to this chapter.

Plans to be certified by licensee.

20. Nothing in this chapter shall be construed as prohibiting licensed professional engineers from making surveys where such surveys are essential to engineering projects, nor as prohibiting any person from doing land surveying; *provided*, he does not hold himself out to be a licensed land surveyor, and accept or receive compensation for such service.

Construing.

Proviso.

21. This chapter shall not be construed to affect or prevent the practice of any other legally recognized profession. Nothing in this act shall be construed as prohibiting, regulating or interfering with persons duly licensed under any laws of this State in the operation and maintenance of equipment and in the supervision of operation of steam power plants, portable machinery and equipment, and refrigeration plants, or from engaging in such engineering activities as may be incident to such operating, maintenance or supervision as is cus-

Construing as to other professions.

tomarily a part of the services rendered by such licensed persons in the course of their employment.

Provisions  
severable.

22. The provisions of this chapter are severable, and if any of the provisions hereof are held unconstitutional the decision shall not be construed to impair any other provisions of this chapter. It is hereby declared as the legislative intent that this chapter would have been adopted had such unconstitutional provisions not been included herein.

Repealer.

23. Chapter eight of Title 45 of the Revised Statutes is hereby repealed. All acts and parts of acts inconsistent herewith be and the same are hereby repealed and this act shall take effect immediately.

Approved June 14, 1938.

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#### CHAPTER 343

AN ACT concerning disorderly persons, and amending section 2:202-16.2 of the Revised Statutes of New Jersey.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section  
amended.

1. That section 2:202-16.2 of the Revised Statutes of New Jersey be amended to read as follows:

Soliciting  
funds by law  
enforcement  
officers pro-  
hibited.

2:202-16.2. It shall be unlawful for any person to solicit funds or a contribution of any kind, by mail, telephone or in person, whether in payment for tickets, admission, books, tokens, advertising, honorary or other membership, or otherwise, for any organization of policemen, or sheriffs, or undersheriffs, or deputy sheriffs, or court officers, or court attendants, or detectives, or constables, or magistrates, or justices of the peace, or other such law enforcement officers, or any organization composed of one or more than one of said groups,

except that members of any such organization may personally solicit such funds or contributions in the municipality where they are employed, or in case of county or State organizations throughout the county or State where they are employed. Any person violating this section shall be adjudged a disorderly person.

Disorderly  
person.

Any offense committed under this section shall be considered to have taken place in the county in which the person solicited was at the time of such solicitation, notwithstanding that such solicitation was by telephone, originating outside of said county or by mail deposited in the post office outside of said county.

Place of  
committing  
offense.

2. This act shall take effect immediately.

Approved June 14, 1938.

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#### CHAPTER 344

AN ACT concerning townships, and amending section 40:146-8 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 40:146-8 of the Revised Statutes is hereby amended to read as follows:

Section  
amended.

40:146-8. The legal voters of any township which has been governed for a period of five years or more by a township committee consisting of five members may reduce the number of such committeemen to three. An election upon the proposition shall be ordered by the township committee on the petition of not less than ten per cent of the legal voters of the township as determined by the number of votes cast at the last preceding general election. The clerk shall within thirty days after the receipt of such petition call a special election

Township  
committees  
may be  
reduced in  
number.

Referendum.