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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11]** ( *Heading of Division 3 added by Stats. 1939, Ch. 30.* )

**CHAPTER 12.5. Geologists and Geophysicists [7800 - 7887]** ( *Heading of Chapter 12.5 amended by Stats. 1972, Ch. 1396.* )

**ARTICLE 3. Scope of Regulation [7830 - 7839.2]** ( *Article 3 added by Stats. 1968, Ch. 942.* )

**7830.** It is unlawful for anyone other than a geologist licensed under this chapter to stamp or seal any plans, specifications, plats, reports, or other documents with the seal or stamp of a professional geologist or licensed certified specialty geologist, or to use in any manner the title "professional geologist" or the title of any licensed certified specialty geologist, or any combination of the words and phrases or abbreviations thereof, unless licensed, or licensed and certified, under this chapter.

(*Amended by Stats. 2019, Ch. 630, Sec. 7. (AB 1522) Effective January 1, 2020.*)

**7830.1.** It is unlawful for any person other than a geophysicist licensed under this chapter to stamp or seal any plans, specifications, plats, reports, or other documents with the seal or stamp of a licensed geophysicist, professional geophysicist, or licensed certified specialty geophysicist, or to use in any manner the title "registered geophysicist," "professional geophysicist," or the title of any registered certified specialty geophysicist, or any combination of the words and phrases or abbreviations thereof, unless the person is licensed, or licensed and certified, under this chapter.

(*Amended by Stats. 2019, Ch. 630, Sec. 8. (AB 1522) Effective January 1, 2020.*)

**7831.** It is unlawful for anyone to stamp or seal any plans, specifications, plats, reports, or other documents with the seal after the certificate of the registrant, named thereon, has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.

(*Added by Stats. 1968, Ch. 942.*)

**7832.** Any person, except as in this chapter specifically exempted, who shall practice or offer to practice geology or geophysics for others in this state is subject to the provisions of this chapter.

(*Amended by Stats. 1972, Ch. 1396.*)

**7833.** This chapter does not prohibit one or more geologists or geophysicists from practicing through the entity 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 professional geologist. In a partnership or corporation whose primary activity consists of geophysical services, at least one partner or officer shall be a professional geophysicist.

(*Amended by Stats. 2005, Ch. 657, Sec. 13. Effective January 1, 2006.*)

**7834.** This chapter does not prevent or prohibit an individual, firm, company, association or corporation whose principal business is other than the practice of geology or geophysics from employing a geologist or geophysicist to perform professional services in geology or geophysics incidental to the conduct of their business.

(*Amended by Stats. 1972, Ch. 1396.*)

**7835.** All geologic plans, specifications, reports, or documents shall be prepared by a professional geologist or licensed certified specialty geologist, or by a subordinate employee under his or her direction. In addition, they shall be signed by the professional geologist or licensed certified specialty geologist and stamped with his or her seal, both of which shall indicate his or her responsibility for them.

*(Amended by Stats. 2016, Ch. 236, Sec. 10. (SB 1165) Effective January 1, 2017.)*

**7835.1.** All geophysical plans, specifications, reports, or documents shall be prepared by a professional geophysicist, licensed certified specialty geophysicist, professional geologist, licensed certified specialty geologist, or by a subordinate employee under his or her direction. In addition, they shall be signed by the professional geophysicist, licensed certified specialty geophysicist, professional geologist, or licensed certified specialty geologist, and stamped with his or her seal, both of which shall indicate his or her responsibility for them.

*(Amended by Stats. 2016, Ch. 236, Sec. 11. (SB 1165) Effective January 1, 2017.)*

**7836.** Officers and employees of the United States of America practicing solely as such officers or employees are exempt from registration under the provisions of this chapter.

*(Added by Stats. 1968, Ch. 942.)*

**7837.** A subordinate to a geologist or geophysicist registered under this chapter, insofar as he or she acts solely in that capacity, is exempt from registration under the provisions of this chapter. This exemption, however, does not permit any subordinate to practice geology or geophysics for others in his or her own right or to use the title "professional geologist" or "professional geophysicist."

*(Amended by Stats. 2005, Ch. 657, Sec. 15. Effective January 1, 2006.)*

**7838.** A civil engineer empowered to practice civil engineering in this state, and a petroleum engineer registered in this state, under provisions of Chapter 7 (commencing with Section 6700) of Division 3 of this code insofar as they practice civil engineering in its various branches or petroleum engineering, respectively, are exempt from registration under the provisions of this chapter.

*(Added by Stats. 1968, Ch. 942.)*

**7839.** This chapter shall not empower a geologist or geophysicist registered under this chapter to practice or offer to practice civil engineering and any of its various recognized branches.

*(Amended by Stats. 1972, Ch. 1396.)*

**7839.1.** This chapter shall not empower a geologist registered under this chapter to practice or offer to practice geophysics for others in this state except as such geophysical work is related to his practice of geology.

This chapter shall not empower a geophysicist registered under this chapter to practice or offer to practice geology for others in this state except as such geological work is related to his practice of geophysics.

*(Added by Stats. 1972, Ch. 1396.)*

**7839.2.** (a) A professional geologist or professional geophysicist shall use a written contract when contracting to provide geological or geophysical services to a client pursuant to this chapter. The written contract shall be executed by the professional geologist or professional geophysicist and the client or the client's representative prior to the professional geologist or professional geophysicist commencing work, unless the client states in writing that work may be commenced before the contract is executed. The written contract shall include, but is not limited to, all of the following:

- (1) A description of the services to be provided to the client by the professional geologist or professional geophysicist.
- (2) A description of any basis of compensation applicable to the contract, and the method of payment agreed upon by the parties.
- (3) The name, address, and license or certificate number of the professional geologist or professional geophysicist, and the name and address of the client.
- (4) A description of the procedure that the professional geologist or professional geophysicist and the client will use to accommodate additional services.
- (5) A description of the procedure to be used by both parties to terminate the contract.
- (6) Disclosure of any existence of a current professional liability insurance policy covering the professional geologist or professional geophysicist in responsible charge of the services.

(b) Subdivision (a) shall not apply to any of the following:

- (1) Geologic or geophysical services rendered by a professional geologist or professional geophysicist for which the client will not pay compensation.

(2) A geologist or geophysicist who has a current or prior contractual relationship with the client to provide geologic or geophysical services, and who has already been paid the fees that are due under the contract by the client.

(3) If the client executes a waiver in writing after full disclosure of this section that a contract that complies with the requirements of this section is not required.

(4) Geological or geophysical services rendered by a geologist or geophysicist to any of the following:

(A) A geologist or geophysicist licensed under this chapter.

(B) An engineer licensed under Chapter 7 (commencing with Section 6700).

(C) A land surveyor licensed under Chapter 15 (commencing with Section 8700).

(D) An architect licensed under Chapter 3 (commencing with Section 5500).

(E) A contractor licensed under Chapter 9 (commencing with Section 7000).

(F) A public agency.

(c) As used in this section, "written contract" includes a contract in electronic form.

*(Amended by Stats. 2024, Ch. 588, Sec. 13. (AB 3253) Effective January 1, 2025.)*