

LAWS OF DELAWARE
VOLUME 83
CHAPTER 153
151st GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 135

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO GEOLOGY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 3602, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3602 Definitions.

The following words, terms and phrases, when used in this chapter shall have the meanings ascribed to them under this section, except where the context clearly indicates a different meaning:

- (1) "Board" shall mean the State Board of Geologists established in this chapter.
- (2) "Excessive use or abuse of drugs" shall mean any use of narcotics, controlled substances or illegal drugs without a prescription from a licensed physician, or the abuse of alcoholic beverage such that it impairs a person's ability to perform the work of a geologist.
- (3) "Geologist" shall mean a person who is qualified to practice professional geology including specialists in its various subdisciplines.
- (4) "Person" shall mean a corporation, company, association and partnership, as well as an individual.
- (5) "Practice of geology" shall mean any service or creative work, the adequate performance of which requires geologic education, training and experience in the application of the principles, theories, laws and body of knowledge encompassed in the science of geology. This may take the form of, but is not limited to, consultation, research, investigation, evaluations, mapping, sampling, planning of geologic projects and embracing such geological services or work in connection with any public or private utilities, structures, roads, building, processes, works or projects. A person shall be construed to practice geology, who by verbal claim, sign, advertisement or in any other way represents himself or herself to be a geologist, or who holds himself or herself out as able to perform or who does perform geologic services or work.
- (6) "Responsible charge" shall mean the individual control and direction, by the use of initiative, skill and individual judgment, of the practice of geology.
- (7) "Substantially related" means the nature of the criminal conduct, for which the person was convicted, has a direct bearing on the fitness or ability to perform 1 or more of the duties or responsibilities necessarily related to the practice of geology.

~~Nothing contained herein shall be construed to apply to persons engaged solely in the practice of well-drilling or persons engaged in the practice of engineering as registered professional engineers.~~

Approved September 15, 2021