

## CHAPTER 53

### Department of Labor, Licensing and Regulation— State Board of Registration for Foresters

(Statutory Authority: 1976 Code §§ 40-1-70, 48-27-80, 48-27-140, and 48-27-190)

#### **53-1. Headquarters.**

Headquarters of the Board shall be located at Columbia, South Carolina.

#### **53-2. Officers.**

The Board will elect officers each year. The following officers will be elected:

(A) Chairman—whose duties shall be to:

- (1) Preside at meetings of the Board.
- (2) Appoint all committees.
- (3) Sign all certificates and other official documents.
- (4) Call special meetings as required.
- (5) Perform all duties pertaining to the office of the Chairman.

(B) Vice Chairman—whose duties shall be to perform the duties of the Chairman during his absence.

**HISTORY:** Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012; SCSR 45-5 Doc. No. 5012, eff May 28, 2021.

#### **53-3. Meetings.**

Regular meetings of the Board will be held in Columbia at least twice each year.

Special meetings of the Board will be called by the Chairman by giving notice as required by S.C. Code Section 30-4-80.

**HISTORY:** Amended by SCSR 45-5 Doc. No. 5012, eff May 28, 2021.

#### **53-4. Quorum.**

A quorum means a simple majority of the constituent membership of a public body.

**HISTORY:** Amended by SCSR 48-5 Doc. No. 5187, eff May 24, 2024.

#### **53-5. Seals.**

The Seal of the Board was adopted at the meeting on October 13, 1961. It shall be used on all official papers, registration certificates and other formal documents of the Board.

Each registered forester may use an impression seal or stamp on his plans, maps, specifications and reports. The seal shall be circular, 1 and  $\frac{5}{8}$  inches in diameter and the stamp shall be 1 and  $\frac{3}{4}$  inches in diameter both of which are standard size. Both designs shall be similar to the following:

SOUTH CAROLINA  
Registered Forester No. 3  
W. J. BARKER

SOUTH CAROLINA  
Registered Forester No. 3  
W. J. BARKER

#### **53-6. Repealed.**

**HISTORY:** Former Regulation, titled Committees, repealed by SCSR 45-5 Doc. No. 5012, eff May 28, 2021.

### **53-7. Application for Registration.**

Requests for registration will be made to the Department of Labor, Licensing and Regulation, State Board of Registration for Foresters. Application forms will be supplied upon request.

Applicants shall supply all information requested on the forms or otherwise required. In each case, the applicant must provide proof, satisfactory to the Board, that he meets requirements for registration. Failure to follow the instructions will necessitate rejection of the application or its return for completion.

Applications will be accompanied by check, money order, or electronic payment in an amount as set by the Board. The application fee is non-refundable.

**HISTORY: Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012; SCSR 45-5 Doc. No. 5012, eff May 28, 2021.**

### **53-8. Requirements for Registration.**

The following shall be considered as minimum evidence satisfactory to the Board that the applicant is qualified for registration as a registered forester:

(A) Examination. All applicants shall take and pass the examination for registration. The examination for registration is a two-part examination:

Part One is the Certified Forester (CF) Examination, and Part Two is the South Carolina Specific Examination.

(B) Education and Experience:

(1) Applicants who have graduated from a curriculum in forestry of four years or more in a department, school, or college approved by the board must have a specific record of an additional two years or more experience in forestry of a character satisfactory to the board and indicating that the applicant is competent to practice forestry; or

(2) Applicants who have not graduated from a curriculum in forestry as provided in (1) above, must have a specific record of six years or more of practice in forestry of a character satisfactory to the board and indicating that the applicant is competent to practice forestry.

**HISTORY: Amended by SCSR 45-5 Doc. No. 5012, eff May 28, 2021.**

### **53-9. Renewal of License, Lapsed License, and Reinstatement.**

Licenses shall expire on June 30th, every two years on the odd numbered year, and shall become invalid on that date unless renewed. At least one month prior to expiration date of any license, the Department will notify each registrant of the date of expiration of his license and the fee required for its renewal for two years. Renewal payment must be made during the month of June every two years, or within the ensuing 3 months, by payment of an additional fee set by the Board for each month or fraction thereof beyond the month of June. The Board will make an exception to the foregoing renewal provisions in the case of a person who is in the Armed Services of the United States.

**HISTORY: Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012; SCSR 45-5 Doc. No. 5012, eff May 28, 2021.**

### **53-10. Registration Determination.**

Registration will be determined on a basis of individual, personal qualifications and no firm, company, partnership, or corporations shall be licensed. That is, only natural persons shall be licensed to practice forestry in this state.

### **53-11. Reciprocity.**

Any applicant licensed to practice forestry by any other state or country whose requirements are determined by the Board to be commensurate with the requirements of this state and upon satisfactory review of the applicant's record in the state or country of licensure may be registered to practice forestry in this state upon payment of a fee set by the Board and passing the Part 2 South Carolina Specific Examination.

**HISTORY: Amended by SCSR 45-5 Doc. No. 5012, eff May 28, 2021.**

### **53-12. Address Requirement.**

Each registrant shall notify the Board of his current mailing address. The registrant shall notify the Board of any change of address within 10 days of such change. Service or notice by mail shall be sufficient notice for purposes of this act and regulation.

### **53-13. Statement of Guiding Definitions.**

For other forestry definitions the board will be guided by the most current version of the Dictionary of Forestry, published by the Society of American Foresters.

**HISTORY:** Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012.

### **53-14. Exceptions.**

Exceptions to the prohibited acts stated in Section 48-27-120 of the 1976 Code shall be:

(A) Marking timber as a member of a crew, under the supervision of a registered forester, without responsibility for determination of objectives, volumes, values or other purposes for which the timber is being marked.

(B) Scaling of severed forest products.

(C) Management of woodyards, and the duties incident thereto.

(D) Cutting, hauling, loading, storing and processing forest products.

(E) Forest workers or forest fire fighters, including tractor plow operators, fire or crew bosses, dispatchers, lookouts, scouts, crew foremen, forest pest control workers, and the similar workers as determined by the Board.

(F) Silvicultural practices such as reforestation and timber stand improvements unless the individual has responsibility for any technical determinations and not just physical labor involved in applying the practices.

(G) The buying and selling of timber or woodlands unless engaged in the practice of forestry in connection with the transaction.

(H) Compassmen and tallymen in timber cruising parties supervised by a registered forester.

(I) Regular employees of persons owning lands on which forestry practices are being conducted by the landowner.

**HISTORY:** Amended by SCSR 45-5 Doc. No. 5012, eff May 28, 2021.

### **53-15. Code of Ethics.**

The most current version of the Code of Ethics as recommended by the Society of American Foresters is hereby adopted as the standards of professional conduct for all foresters in this state.

**HISTORY:** Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012.

### **53-16. Repealed.**

**HISTORY:** Former Regulation, titled Licensure Fees, had the following history: Amended by State Register Volume 40, Issue No. 5, Doc. No. 4627, eff May 27, 2016; repealed by SCSR 42-5 Doc. No. 4769, eff May 25, 2018.

### **53-20. Continuing Education Requirements.**

(A) Continuing Forestry Education: Each registered forester is required to meet the Continuing Education Requirements of the Board of Registration prior to registration renewal each biennium.

(B) Biennial Requirements: A total of 20 Continuing Forestry Education credits is required biennially, of which a minimum of 10 must be in Category 1.

(C) CFE Credit Categories:

Category 1 — Core Education

Each Category 1 activity must satisfy all of the following conditions:

It is an organized program of learning conducted in a setting physically suitable to continuing forestry education objectives;

Speakers must be qualified to address their topics and be considered experts in their presentation subject by virtue of special education, training, and/or experience.

The subject matter must directly relate to the approved content area for the appropriate credential. Individual presentations within a workshop or conference may qualify while others do not.

The program content must be of a technical level and nature such that it supplements and builds upon the knowledge necessary to ensure professional competency. Training sessions targeted specifically for landowners do not meet this criterion.

The program content cannot be: specific to protocols of an individual organization, company or agency; about organization-specific procedures and operations, or; employee training in organization-specific practices/policies.

#### Category 2 — Related Education

Each Category 2 activity must satisfy all of the following conditions:

It is an organized program of learning conducted in a setting physically suitable to continuing forestry education objectives.

Speakers must be qualified to address their topics and be considered experts in their presentation subject by virtue of special education, training, and/or experience.

The program content must be of a technical level and nature such that it supplements and builds upon the knowledge necessary to ensure professional competency and performance.

The program content cannot be: specific to protocols of an individual organization, company, or agency; about organization-specific procedures and operations; or employee training in organization-specific practices/policies.

#### Category 3 — Professional Development and Volunteer Activities

Each Category 3 activity must satisfy all of the following conditions:

Professional activities undertaken outside of normal job responsibilities.

The subject matter qualifies under category 1, such as presentations in a classroom, field, or lab setting; writing and publishing of forestry or forestry-related subject matter; or, service to the profession through volunteer work.

(D) Reports and Records: Each registrant shall report on a form provided by the Board, the activities undertaken to meet the requirements for Continuing Forestry Education.

The registrant shall maintain a file of documentation for activities for a period of 5 years after the date of the program. Such documentation shall be provided to the Board of Registration upon request.

(E) Approval of Activities:

(1) Any activity approved for CFE credit by the Society of American Foresters Continuing Forestry Education Program.

(2) An activity documentation may be submitted to the Board of Registration for Foresters for approval. The Board may rely on a committee of registered foresters chosen by the Board for determination or may rely on credit granted by other organizations. In any case the decision by the Board will be final.

(F) Non Compliance: An individual who does not meet the CFE requirements shall be placed on a probationary status for 6 months. Failure to complete the requirements during that period will result in cancellation of registration and prohibition from practicing forestry in South Carolina.

(G) Reinstatement to Active Registration: An individual wishing to have registration restored must complete the following requirements for continuing Forestry Registration in addition to other requirements required by the Board.

(1) Registration lapse of 1–3 years: Complete the CFE requirements for a minimum of one year prior to application for registration.

(2) Registration lapse of 4–10 years: Complete the current CFE requirements for a minimum of two years credits during the 18 months preceding the application for reinstatement.

(3) Registration lapse of 11 or more years: Completion of the examination required for initial licensing.

(H) Waivers: Any individual may request in writing a waiver of the requirements by the Board. If, in the judgment of the Board, the waiver is justified, it may be granted on a yearly basis.

(I) New Registrants: An individual registered during a year will be required to meet CFE requirements for renewal following the first renewal after initial registration.

(J) Carry-over Credits: A maximum of 10 credits in categories 1–3 may be carried over for one renewal cycle, except that award of a CFE certificate by the Society of American Foresters may qualify for the individual's CFE requirement for four following years.

(K) Exemptions:

(1) Individuals registered to practice forestry in another state and who meet Continuing Forestry Education requirements for that state equal to or greater than those in South Carolina.

(2) Periods of time the individual is serving on active duty in the Armed Forces of the United States for periods longer than 180 consecutive days.

(3) Licensees experiencing physical disability, illness, other extenuating circumstances as reviewed and approved by the board may be exempt. A waiver form that includes supporting documentation must be furnished to the board thirty (30) days in advance of the renewal period.

(4) Individuals who are at least sixty (60) years old and have thirty (30) or more years of licensed experience may request a waiver of the continuing education requirement by submitting a waiver form to the Board.

**HISTORY: Amended by SCSR 45–5 Doc. No. 5012, eff May 28, 2021.**