



Senate Bill 254 – On-Site Sewage Disposal Systems – Inspection -- Licensing

Position: Oppose

The Maryland REALTORS® opposes SB 254 which regulates septic inspectors.

Although REALTORS® do not oppose the licensing of septic inspectors, the REALTORS® are concerned over the following provisions. First, the bill states that an incomplete inspection would make an inspector liable for the cost of repairing or replacing the on-site sewage disposal system if the system fails within six months of the inspection. However, the bill leaves it up to MDE to define what an inspection constitutes.

The bill also doesn't make clear what a failed system means. Is it a failure of the entire system or just part of the system? An inspector should not be liable for a failure of an easily replaced part. More importantly, the inspector should not be liable for a failure caused by an owner of the system.

Although the bill has a delayed effective date until May 2021, the REALTORS® are concerned that it won't be enough time to pass regulations and train enough inspectors statewide to ensure that enough inspectors will be available for the market.

Finally, the REALTORS® believe that a provision in similar legislation, HB 136, creating a Board of On-Site Wastewater Professionals should be added. It will ensure that experienced industry members will give important input in the creation of inspection protocols and training.

For those reasons, the REALTORS® recommend an unfavorable report.

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