

HOUSE BILL 933

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1998 Regular Session
8r2066
CF 8r0599

By: **Delegate Preis**

Introduced and read first time: February 12, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Professional Land Surveyors and Property Line Surveyors - Scope of**
3 **Practice**

4 FOR the purpose of altering the definition of "practice land surveying" to clarify the
5 scope of the work that constitutes the practice of land surveying and may be
6 performed by a professional land surveyor; altering the definition of "practice
7 property line surveying"; and generally relating to professional land surveyors
8 and property line surveyors.

9 BY repealing

10 Article - Business Occupations and Professions
11 Section 15-101(g)
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1997 Supplement)

14 BY adding to

15 Article - Business Occupations and Professions
16 Section 15-101(g)
17 Annotated Code of Maryland
18 (1995 Replacement Volume and 1997 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article - Business Occupations and Professions
21 Section 15-101(h)
22 Annotated Code of Maryland
23 (1995 Replacement Volume and 1997 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Business Occupations and Professions**

2 15-101.

3 [(g) (1) "Practice land surveying" means to provide any service the
4 performance of which requires education and experience in the application, to land
5 surveying, of:

6 (i) special knowledge of the mathematical, physical, engineering,
7 and surveying sciences; and

8 (ii) the principles and methods of surveying.

9 (2) "Practice land surveying" includes:

10 (i) surveying an area to:

11 1. determine and describe the area correctly for
12 conveyancing; or

13 2. establish or reestablish a land boundary; and

14 (ii) plotting of land and subdivision of land, including:

15 1. determining topography and contours;

16 2. preparing a recordable plat; and

17 3. preparing a plan for:

18 A. a storm drainage system that meets any standards set by
19 the State or a local authority but does not require a hydraulic or structural design of
20 system components;

21 B. drainage for a street or road; and

22 C. a grade design of a street or road.

23 (3) "Practice land surveying" does not include:

24 (i) practicing geodetic surveying;

25 (ii) practicing cartography; or

26 (iii) executing as a contractor or supervising as an employee of the
27 contractor the work designed by a professional land surveyor.]

28 (G) (1) "PRACTICE LAND SURVEYING" MEANS ANY SERVICE, WORK,
29 DOCUMENTS, OR PRACTICE THE PERFORMANCE OR PREPARATION OF WHICH
30 REQUIRES THE APPLICATION OF SPECIAL KNOWLEDGE OF THE PRINCIPLES OF

1 MATHEMATICS, THE RELATED PHYSICAL AND APPLIED SCIENCES, AND THE
2 REQUIREMENTS OF THE RELEVANT LAW, AS APPLIED TO:

3 (I) MEASURING AND LOCATING LINES, ANGLES, ELEVATIONS,
4 NATURAL OR ARTIFICIAL FEATURES IN THE AIR, ON THE SURFACE OF THE EARTH, IN
5 UNDERGROUND WORK, AND ON THE BEDS OF BODIES OF WATER FOR THE PURPOSE
6 OF DETERMINING AND REPORTING POSITIONS, TOPOGRAPHY, AREAS, AND VOLUMES;

7 (II) ESTABLISHING OR REESTABLISHING, LOCATING OR
8 RELOCATING, OR SETTING OR RESETTING OF MONUMENTATION FOR BOUNDARIES
9 OF REAL PROPERTY, EASEMENTS, OR RIGHTS-OF-WAY;

10 (III) PLATTING, LAYOUT, AND PREPARATION OF:

11 1. SITE PLANS;

12 2. SUBDIVISION PLANS;

13 3. SUBDIVISION PLATS;

14 4. CONDOMINIUM PLATS;

15 5. RIGHT-OF-WAY AND EASEMENT PLATS; AND

16 6. OTHER RECORDABLE PLATS;

17 (IV) CONDUCTING HORIZONTAL AND VERTICAL CONTROL SURVEYS,
18 LAYOUT OR STAKE-OUT OF PROPOSED CONSTRUCTION, OR THE PREPARATION OF
19 AS-CONSTRUCTED SURVEYS;

20 (V) UTILIZING MEASUREMENT DEVICES OR SYSTEMS, SUCH AS
21 AERIAL PHOTOGRAMMETRY, GLOBAL POSITIONING SYSTEMS, LAND INFORMATION
22 SYSTEMS, GEOGRAPHIC INFORMATION SYSTEMS, OR SIMILAR TECHNOLOGY FOR
23 EVALUATION OR LOCATION OF BOUNDARIES OF REAL PROPERTY, EASEMENTS, OR
24 RIGHTS-OF-WAY; AND

25 (VI) IN CONJUNCTION WITH THE SITE DEVELOPMENT OR
26 SUBDIVISION OF LAND, THE PREPARATION AND DESIGN OF PLANS FOR THE
27 FOLLOWING PROJECTS, PROVIDED THAT SUCH PREPARATION AND DESIGN ARE IN
28 ACCORDANCE WITH DESIGN MANUALS, DETAILS, AND STANDARDS ACCEPTED BY
29 THE STATE OR LOCAL AUTHORITY:

30 1. ROAD AND STREET GRADES;

31 2. SEDIMENT AND EROSION CONTROL MEASURES; AND

32 3. NONPRESSURIZED CLOSED STORM DRAINAGE AND
33 STORMWATER MANAGEMENT SYSTEMS; AND

34 4. OPEN CONDUIT STORM DRAINAGE AND STORM WATER
35 MANAGEMENT SYSTEMS.

1 (2) "PRACTICE LAND SURVEYING" DOES NOT INCLUDE THE DESIGN OR
2 PREPARATION OF SPECIFICATIONS FOR:

3 (I) COMMUNITY WATER OR WASTEWATER TREATMENT
4 COLLECTION OR DISTRIBUTION SYSTEMS;

5 (II) COMMUNITY PUMPING OR LIFT STATIONS; OR

6 (III) UNLESS AUTHORIZED BY PARAGRAPH (1)(VI) OF THIS
7 SUBSECTION, GEOTECHNICAL OR STRUCTURAL DESIGN COMPONENTS OF SEDIMENT
8 CONTROL OR STORMWATER MANAGEMENT PONDS OR BASINS.

9 (h) (1) "Practice property line surveying" means to practice land surveying,
10 except for the services excluded under paragraph (2) of this subsection.

11 (2) "Practice property line surveying" does not include [preparing a plan
12 for:

13 (i) a storm drainage system;

14 (ii) drainage for a street or road; or

15 (iii) a grade design of a street or road] THE PERFORMANCE OF THE
16 SERVICES DESCRIBED IN SUBSECTION (G)(1)(VI) OF THIS SECTION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1998.