

SENATE BILL 255

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1998 Regular Session  
8r0599  
CF 8r2066

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By: **Senator Craig**

Introduced and read first time: February 2, 1998

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 1998

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CHAPTER \_\_\_\_\_

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)

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

3 **Article - Business Occupations and Professions**

4 15-101.

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

8 (i) special knowledge of the mathematical, physical, engineering,  
9 and surveying sciences; and

10 (ii) the principles and methods of surveying.

11 (2) "Practice land surveying" includes:

12 (i) surveying an area to:

13 1. determine and describe the area correctly for  
14 conveyancing; or

15 2. establish or reestablish a land boundary; and

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

17 1. determining topography and contours;

18 2. preparing a recordable plat; and

19 3. preparing a plan for:

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

23 B. drainage for a street or road; and

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

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

26 (i) practicing geodetic surveying;

27 (ii) practicing cartography; or

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

1 (G) (1) "PRACTICE LAND SURVEYING" MEANS ANY SERVICE, WORK,  
2 DOCUMENTS, OR PRACTICE THE PERFORMANCE OR PREPARATION OF WHICH  
3 REQUIRES THE APPLICATION OF SPECIAL KNOWLEDGE OF THE PRINCIPLES OF  
4 MATHEMATICS, THE RELATED PHYSICAL AND APPLIED SCIENCES, AND THE  
5 REQUIREMENTS OF THE RELEVANT LAW, AS APPLIED TO:

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

11 (II) THE PLATTING OR REPLATTING, ESTABLISHING OR  
12 REESTABLISHING, LOCATING OR RELOCATING, OR SETTING OR RESETTING ~~OF THE~~  
13 MONUMENTATION FOR BOUNDARIES OF REAL PROPERTY, EASEMENTS, OR  
14 RIGHT-OF-WAY;

15 (III) PLATTING, LAYOUT, AND PREPARATION OF SURVEYS, PLATS,  
16 PLANS, AND DRAWINGS, INCLUDING:

- 17 1. SITE PLANS;
- 18 2. SUBDIVISION PLANS;
- 19 3. SUBDIVISION PLATS;
- 20 4. CONDOMINIUM PLATS;
- 21 5. RIGHT-OF-WAY AND EASEMENT PLATS; AND
- 22 6. OTHER RECORDABLE PLATS;

23 (IV) CONDUCTING HORIZONTAL AND VERTICAL CONTROL SURVEYS,  
24 LAYOUT OR STAKE-OUT OF PROPOSED CONSTRUCTION, ~~OR~~ AND THE PREPARATION  
25 AND PLATTING OF AS-CONSTRUCTED SURVEYS;

26 (V) UTILIZING MEASUREMENT DEVICES OR SYSTEMS, SUCH AS  
27 AERIAL PHOTOGRAMMETRY, GLOBAL POSITIONING SYSTEMS, LAND INFORMATION  
28 SYSTEMS, GEOGRAPHIC INFORMATION SYSTEMS, OR SIMILAR TECHNOLOGY FOR  
29 EVALUATION OR LOCATION OF BOUNDARIES OF REAL PROPERTY, EASEMENTS, OR  
30 RIGHTS-OF-WAY; AND

31 (VI) IN CONJUNCTION WITH THE SITE DEVELOPMENT OR  
32 SUBDIVISION OF LAND, THE PREPARATION OF DESIGN OF AND PLANS FOR THE  
33 FOLLOWING PROJECTS, PROVIDED THAT SUCH PREPARATION AND DESIGN ARE IN  
34 ACCORDANCE WITH DESIGN MANUALS, DETAILS, AND STANDARDS ACCEPTED BY  
35 THE STATE OR LOCAL AUTHORITY:

- 36 1. ROAD AND STREET GRADES;

1 2. SEDIMENT AND EROSION CONTROL MEASURES; AND

2 3. NONPRESSURIZED CLOSED STORM DRAINAGE AND  
3 STORMWATER MANAGEMENT SYSTEMS; AND

4 4. OPEN CONDUIT STORM DRAINAGE AND STORM WATER  
5 MANAGEMENT SYSTEMS.

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

8 (I) COMMUNITY WATER OR WASTEWATER TREATMENT  
9 COLLECTION OR DISTRIBUTION SYSTEMS;

10 (II) COMMUNITY PUMPING OR LIFT STATIONS; OR

11 (III) ~~UNLESS AUTHORIZED BY PARAGRAPH (1)(VI) OF THIS~~  
12 ~~SUBSECTION,~~ GEOTECHNICAL OR STRUCTURAL DESIGN COMPONENTS OF SEDIMENT  
13 CONTROL OR STORMWATER MANAGEMENT PONDS OR BASINS.

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

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

18 (i) a storm drainage system;

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

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

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