

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 684

(Delegate Valderrama)

Economic Matters

Education, Health, and Environmental Affairs

Professional Land Surveyors - Surveying Practice - Definition and Licensing
Exception

This bill alters the definition of “practice land surveying” for purposes of the Maryland Professional Land Surveyors Act and excludes specified individuals from the general licensure requirement to practice land or property line surveying under the Act.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations and is not anticipated to affect the number of individuals licensed under the Professional Land Surveyors Act, as discussed below.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: “Practice land surveying” means providing or offering to provide professional services that require the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the requirements of the relevant law to authoritatively determine, regardless of the technology or method used, the accurate and precise location of a feature, object, or boundary of real property with reference to the surface of the earth, space above the surface of the earth, or underground. It includes a variety of specified activities, the majority of which are part of the current definition.

The general licensure requirement for an individual to practice land or property line surveying does not apply to an individual who utilizes measurement devices or systems, regardless of the technology or methods used, for the exclusive purpose of determining topography and contours, provided that the individual is certified by an entity acceptable to the State Board for Professional Land Surveyors.

Current Law: Generally, an individual must be licensed by the State Board for Professional Land Surveyors to practice land surveying or property line surveying before the individual may practice land surveying or property line surveying in the State. There are limited specified exceptions, such as an employee or other subordinate of a licensee under certain circumstances. Licensure requirements include minimum specified combinations of education and experience, plus passage of two surveying-related exams.

“Practice land surveying” means any service, work, documentation, or practice the performance or preparation of which requires the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the requirements of the relevant law, as applied to:

- measuring, platting, and locating lines, angles, elevations, natural or artificial features in the air, on the surface of the earth, in underground work, and on the beds of bodies of water for the purpose of determining and reporting positions, topography, areas, and volumes;
- the platting or replatting, establishing or reestablishing, locating or relocating, or setting or resetting the monumentation for boundaries of real property, easements, or rights-of-way;
- platting, layout, and preparation of surveys, plats, plans, and drawings;
- conducting horizontal and vertical control surveys, layout or stake-out of proposed construction, and the preparation and platting of as-constructed surveys;
- utilizing measurement devices or systems, such as aerial photogrammetry, global positioning systems, land information systems, geographic information systems, or similar technology for evaluation or location of boundaries of real property, easements, or rights-of-way; and
- in conjunction with the site development or subdivision of land, the preparation and design of plans for the specified infrastructure projects, provided that such preparation and design are in accordance with design manuals, details, and standards accepted by the State or local authority.

“Practice land surveying” does not include the design, preparation, or specifications for:

- community water or wastewater treatment collection or distribution systems;
- community pumping or lift stations; or

- geotechnical or structural design components of sediment control or stormwater management ponds or basins.

State Fiscal Effect: The Maryland Department of Labor advises that the bill is not expected to alter the number of individuals licensed under the Professional Land Surveyors Act and that the bill generally updates and clarifies statute to incorporate the use of advanced technology. As such, the bill does not materially affect State finances or operations.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Department of Labor; Department of General Services; Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2021
rh/mcr Third Reader - February 24, 2021

Analysis by: Stephen M. Ross

Direct Inquiries to:
(410) 946-5510
(301) 970-5510