

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 545 (Senator Ready, *et al.*)
Education, Energy, and the Environment

**Land Surveyors and Property Line Surveyors - Private Property Access -
Prohibition**

This bill prohibits a land surveyor or a property line surveyor from conducting a survey on private property during deer firearms hunting season without the written permission of the property owner.

Fiscal Summary

State Effect: The bill may have a significant operational and fiscal impact on the Maryland Department of Transportation (MDOT), as discussed below. No effect on revenues.

Local Effect: The bill may have a significant operational and fiscal impact on local government operations and finances, as discussed below. No effect on revenues.

Small Business Effect: Potential meaningful.

Analysis

Current Law:

Access to Private Property

Civil engineers, land surveyors, real estate appraisers, and their assistants working on behalf of the State, any of its instrumentalities, or any specified body having the power of eminent domain may, after making every real and bona fide effort to notify an owner or occupant in writing:

- enter any private land to make surveys, run lines or levels, or obtain information relating to the acquisition or future public use of the property or for any governmental report, undertaking, or improvement;
- set stakes, markers, monuments, or other suitable landmarks or reference points where necessary; and
- enter on any private land and perform any function necessary to appraise the property.

Deer Hunting Seasons

Pursuant to Section 10-415 of the Natural Resources Article, there are three seasons to hunt deer: (1) deer bow hunting season; (2) deer firearms season; and (3) deer muzzleloader season. The Department of Natural Resources establishes the seasons by [regulation](#). Regulations establishing deer firearms seasons for calendar 2026 beyond January 11 have not yet been promulgated as of February 2026.

State Board of Professional Land Surveyors

The Board for Professional Land Surveyors qualifies and licenses individuals seeking licensure and issues permits to business entities through which land surveying is practiced. The board investigates complaints against licensees, as well as complaints related to unlicensed practice.

A person who violates any provision of the Maryland Professional Land Surveyors Act is guilty of a misdemeanor and, upon conviction, is subject to a fine of up to \$500 and/or imprisonment of up to six months. The board may also impose a penalty of up to \$5,000 for each violation. In setting the penalty, the board may consider specified factors (*e.g.*, the seriousness of the violation, the harm caused, etc.). Penalties imposed by the board must be paid into the general fund.

State/Local Expenditures: MDOT advises that, on a typical transportation project, the State Highway Administration (SHA) may enter hundreds of properties. The requirement to obtain written permission for these efforts may significantly delay project schedules and jeopardize SHA's project commitments. MDOT further advises that land surveying projects for SHA's Office of Highway Development (OHD) usually take 6 to 9 months; under the bill, this time could be significantly increased, which could lead to cost overruns. Moreover, if property access is denied, a court ordered writ of survey could cause additional delays. Any project cost increases stemming from project delays cannot be reliably estimated but could be significant.

MDOT also notes that it is unclear how a permittee would be notified when a property is transferred to a new owner. Given these uncertainties, the fiscal impact of the bill could be

significant. Additionally, MDOT notes that differentiating property lines in the field can be highly challenging, and surveyors could unintentionally violate the bill's requirement.

To track the entities that perform land surveying services under contract and to mitigate liability, MDOT advises that SHA must develop a tracking system/application. The application would need to be linked to State Department of Assessments and Taxation data to flag properties that have transferred ownership after permission is granted to ensure compliance. MDOT estimates the total cost to develop this software could total up to \$500,000, take up to two years to develop, and require ongoing contractual services (at an estimated cost of \$100,000 annually).

Although the bill does not specify how written permission would be obtained, MDOT anticipates that certified letters are necessary. OHD performs approximately 400 surveying projects per year. From experience, OHD estimates that 25-100 certified letters are necessary per project (*i.e.*, as many as 40,000 letters per year). Each certified letter, with a return envelope, is anticipated to cost approximately \$11; therefore, the total cost for OHD could be as much as \$440,000 per year.

MDOT also notes that there may be a similar, potentially significant impact on project surveying efforts undertaken by local governments and their contractors.

Small Business Effect: Any small businesses that conduct land surveys may be affected by the bill's restrictions and must comply with the requirement to obtain written permission prior to conducting a survey during deer firearms season.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 716 (Delegate Pippy, *et al.*) - Economic Matters.

Information Source(s): Judiciary (Administrative Office of the Courts); Maryland Department of Labor; Maryland Department of Transportation; Department of Legislative Services

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sj/mcr

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