

SENATOR JEFF WALDSTREICHER
Legislative District 18
Montgomery County

—
Vice Chair
Judicial Proceedings Committee

—
Joint Committee on Federal Relations



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The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Jeff Waldstreicher
Senate Bill 288 – Criminal and Civil Trespass – Professional Land Surveyors – Exception

February 16, 2023

Chairman Smith and Members of the Judicial Proceedings Committee:

Professional land surveyors play a crucial role in our society. The planning and execution of most construction projects require land surveys. We also rely on land surveys for transportation, communications, mapping, and defining legal boundaries for land ownership.

Sometimes, in the course of their duties, professional land surveyors need to enter private properties adjoining the areas they are tasked with surveying. This potentially opens them up to liability for civil and criminal trespass. Notably, land surveyors working on behalf of the State are immune from this liability.

Senate Bill 288 would extend this limited exception to include professional land surveyors working on behalf of private clients. Under this bill, professional land surveyors would be permitted to enter upon lands, waters, and premises—excluding buildings—within a reasonable distance from the property line of the land being surveyed. Importantly, nothing in this legislation would relieve land surveyors of liability for damage caused by their entry on adjoining properties.

Nearly half the states across the country already have this common sense exception to their trespass laws. It's time for Maryland to join these states in protecting members of this vital profession. I respectfully urge a favorable report on Senate Bill 288.

Very truly yours,

A handwritten signature in black ink that reads "Jeff Waldstreicher". The signature is written in a cursive style with a large, stylized "J" and "W".

Senator Jeff Waldstreicher