

# **SB 344 - Criminal and Civil Trespass - Professiona**

Uploaded by: Christa McGee

Position: FAV



**Senate Bill 344– Criminal and Civil Trespass – Professional Land Surveyors - Exception**

**Position: Support**

Maryland REALTORS® supports creating an exception to Criminal and Civil Trespass for professional land surveyors and their agents and employees when conducting a survey of property which requires them to enter the property of an adjacent property owner.

In these current market conditions, it is imperative that professional land surveyors are able to perform a survey, when necessary, without being delayed or prevented from doing so by an adjacent property owner. Allowing this limited exception to criminal and civil trespass to exist for professional land surveyors while performing survey services will protect these individuals from civil and criminal liability which will help facilitate a smooth transaction.

We respectfully ask for your support of Senate Bill 344.

**For more information contact**  
**[lisa.may@mdrealtor.org](mailto:lisa.may@mdrealtor.org) or [christa.mcgee@mdrealtor.org](mailto:christa.mcgee@mdrealtor.org)**

# **SB344 Letter of Support-John Dove.pdf**

Uploaded by: John Dove

Position: FAV

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## SENATE BILL 344

**Date:** January 29, 2024

**Committee:** Judicial Proceedings

**Bill Title:** Criminal and Civil Trespass - Professional Land Surveyors – Exception (Crossed-filled **HB0382**)

**Re:** Letter of Support

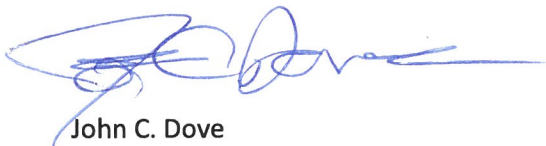
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On Behalf of the Maryland Board for Professional Land Surveyors (the Board). Senate Bill 344 safeguards professional land surveyors and agents and employees of professional land surveyors, who enter the property of another while conducting official duties of land surveying.

Professional land surveyors frequently need to access bordering properties beyond the parties who contracted them for professional services. Senate Bill 344 seeks to establish exceptions to certain criminal prohibitions against trespassing on property and civil tort on trespass for and generally relating to professional land surveying.

Land surveying is a regulated profession in Maryland. These licensed professionals abide by a code of ethics which includes a responsibility to the public, COMAR Sec. 09.13.01.02. In performing their professional duties, each licensee makes every reasonable effort to protect the safety, health, property, and welfare of the public. Land surveyors are an integral aspect of the design and construction industries in Maryland. The Board respectfully requests a favorable report from the committee. Members of the Board are prepared to answer any questions the committee may have about SB 344.

Respectfully,



John C. Dove  
Commissioner  
Occupational and Professional Licensing



Zevi Thomas  
Executive Director  
Maryland Board for Professional Land Surveyors

**SB344\_MTBMA\_FAV.pdf**

Uploaded by: Michael Sakata

Position: FAV



February 14, 2024

Senator Will Smith, Chair  
Senate Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis, MD 21401

**RE: SB 344 – FAVORABLE – Criminal and Civil Trespass – Professional Land Surveyors – Exception**

Dear Chair Smith and Members of the Committee:

The Maryland Transportation Builders and Materials Association (“MTBMA”) has been and continues to serve as the voice for Maryland’s construction transportation industry since 1932. Our association is comprised of 200 members. MTBMA encourages, develops, and protects the prestige of Maryland's transportation construction and materials industry by establishing and maintaining respected relationships with federal, state, and local public officials. We proactively work with regulatory agencies and governing bodies to represent the interests of the transportation industry and advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

Senate Bill 344 establishes exceptions to trespassing laws for professional land surveyors and their agents or employees when they enter someone else’s property to conduct land surveying. The exceptions outlined in SB3 44 do not affect other legal protections or rights individuals have, and do not prevent anyone from seeking legal recourse for other actionable behavior by land surveyors.

MTBMA supports this legislation, as the processes outlined in the bill are an integral part of our State’s real estate development, and land surveyors play a crucial role in ensuring accurate boundary determinations and protecting property rights. SB 344 expands on the provisions outlined in Maryland’s Right of Entry to better facilitate the work of surveyors while also addressing potential conflicts and legal concerns. This exemption is narrowly tailored to apply only when surveyors are actively engaged in surveying services, it does not grant blanket permission to enter any building and retains surveyors’ liability. This bill is crucial to support the vital work of professional land surveyors in Maryland.

We appreciate you taking the time to consider our request for a **FAVORABLE** report on Senate Bill 344.

Thank you,

Michael Sakata  
President and CEO  
Maryland Transportation Builders and Materials Association

**SB344\_MAA\_FAV.pdf**

Uploaded by: Rachel Clark

Position: FAV

CHAIRMAN:  
Jeff Graf  
VICE CHAIRMAN  
David Slaughter

**MARYLAND ASPHALT ASSOCIATION**



TREASURER:  
Paul Bramble  
SECRETARY:  
Curtis Hall  
PRESIDENT:  
Tim Smith

February 14, 2024

Senator Will Smith, Chair  
Senate Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis, MD 21401

**RE: SB 344 – FAVORABLE – Criminal and Civil Trespass – Professional Land Surveyors – Exception**

Dear Chair Smith and Members of the Committee:

The Maryland Asphalt Association (MAA) is comprised of 19 producer members representing more than 48 production facilities, 25 contractor members, 25 consulting engineer firms, and 41 other associate members. MAA works proactively with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 344 establishes exceptions to trespassing laws for professional land surveyors and their agents or employees when they enter someone else's property to conduct land surveying. The exceptions outlined in SB3 44 do not affect other legal protections or rights individuals have, and do not prevent anyone from seeking legal recourse for other actionable behavior by land surveyors.

MAA supports this legislation, as the processes outlined in the bill are an integral part of our State's real estate development, and land surveyors play a crucial role in ensuring accurate boundary determinations and protecting property rights. SB 344 expands on the provisions outlined in Maryland's Right of Entry to better facilitate the work of surveyors while also addressing potential conflicts and legal concerns. This exemption is narrowly tailored to apply only when surveyors are actively engaged in surveying services, it does not grant blanket permission to enter any building and retains surveyors' liability. This bill is crucial to support the vital work of professional land surveyors in Maryland.

We appreciate you taking the time to consider our request for a **FAVORABLE** report on Senate Bill 344.

Sincerely,

A handwritten signature in black ink that reads "Tim Smith". The signature is written in a cursive, flowing style.

Tim E. Smith, P.E.  
President  
Maryland Asphalt Association