

SB 545 – Land Surveyors – Private Property Access Prohibition

UNFAVORABLE

TO: The Honorable Brian J. Feldman, Chair; The Honorable Cheryl C. Kagan, Vice Chair; and Members of the Senate Education, Energy, and the Environment Committee

FROM: Maryland Society of Surveyors (MSS)

DATE: February 19, 2026

RE: OPPOSITION to SB 545 (Land Surveyors – Private Property Access – Prohibition)

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee,

The Maryland Society of Surveyors (MSS), representing the professional land surveying community across the State, respectfully submits this testimony in **STRONG OPPOSITION** to Senate Bill 545.

While we understand the intent of SB 545 is to address landowner concerns regarding property access, the legislation as written creates disproportionate barriers to essential professional services. **By placing a broad restriction on licensed surveyors, the bill effectively imposes a statewide moratorium on routine surveying that will severely damage the real estate and construction industries and prevent surveyors from serving individual homeowners who rely on timely boundary surveys, location surveys, and property line determinations for refinances, fence installations, additions, and other everyday property needs.**

MSS opposes this bill on the following grounds:

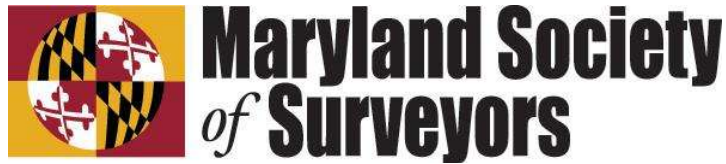
1. The "Adjoiner" Necessity: Why We Enter Private Property

The bill prohibits entering private property without *written* permission during deer firearms season. While most survey work is commissioned by a specific client, **accurate boundary surveys require us to locate evidence on adjoining properties.**

To certify a property line for a homeowner, we are legally and professionally mandated to find monuments (iron pipes, stones) that often sit on a neighbor's land. If a neighbor—who may be an absentee landlord, an LLC, or involved in a boundary dispute—refuses to sign a permission slip, the survey cannot be completed.

2. A "Blackout Period" that Disrupts Real Estate Closings

The Deer Firearms Season creates a significant window of time—typically two weeks in late November/December and additional days in January—during which surveyors



would be effectively banned from working on many properties. This coincides with the busiest time for year-end real estate settlements.

- If a surveyor cannot enter an adjoining property to verify a corner, the survey stops.
- If the survey stops, the mortgage company will not fund the loan.
- **Result:** Families attempting to close on homes will face delays, lost interest rate locks, and breach of contract—all because a surveyor could not obtain a signature from a neighbor.

3. Criminalizing a Licensed Profession

SB 545 does not just impose a fine; it criminalizes our livelihood. Under this bill, a licensed surveyor simply doing their job could be charged with a **misdemeanor**, face up to **6 months in jail**, and be subject to a **\$5,000 civil penalty**.

Criminalizing a professional activity—one that is required by the State for property transfers—is an extreme and unjustified response to a safety concern that is already managed through standard protocols.

4. Surveyors are Safety Experts

Surveyors are professionals who prioritize safety. Standard field practice requires the use of **high-visibility blaze orange or pink vests** and PPE, often making surveyors more visible than the hunters themselves. There is no evidence of a safety crisis involving surveyors and hunters in Maryland that justifies a legislative ban on our right to practice.

5. Urban and Suburban Oversights

As currently written, the bill applies statewide. This means a surveyor working in a dense subdivision in Silver Spring or downtown Baltimore—where no deer hunting occurs—could be criminally liable for stepping across a property line without written permission during these dates.

For these reasons, the Maryland Society of Surveyors urges the Committee to issue an **UNFAVORABLE** report on SB 545.

Sincerely,

William Bower, PE, PLS

Maryland Society of Surveyors