

February 19, 2026

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

RE: Letter of Opposition – Senate Bill 545 – Land Surveyors and Property Line Surveyors – Private Property Access – Prohibition

Dear Chair Feldman and Committee Members:

The Maryland Department of Transportation (MDOT) respectfully opposes Senate Bill 545 and offers the following information for the Committee's consideration.

SB 545 prohibits a land surveyor or a property line surveyor from conducting a survey on private property during deer firearms hunting season without written permission from the property owner. This restriction would place an unnecessary burden on the State's efforts to maintain, repair, and upgrade critical transportation infrastructure. State Highway Administration's (SHA) concerns include:

- The proposed language is in direct contradiction to Real Property Article 12-111(a)(1). Under current law, civil engineers, land surveyors, real estate appraisers and their assistants acting on behalf of the State are allowed to enter private land for survey purposes following a real and bona fide effort to notify the owner in writing prior to the proposed entry. SB 545 significantly deviates from this precedent in implicating land surveyors working for the State on SHA projects.
- The bill would increase project delays. On a typical transportation project, SHA may enter hundreds of properties. Requiring written permission for this many properties would significantly delay project schedules and jeopardize SHA's project commitments. Land surveying projects for SHA's Office of Highway Development usually take 6 to 9 months. The bill could potentially increase this time by 50% (12 to 18 months) for these services. Also, if property access is denied, a court ordered writ of survey could take additional months. The fiscal impact of this legislation is anticipated to be large due to delays in project schedules.
- The bill would trigger an arduous multi-agency verification beyond what's required today. Additionally, differentiating property lines in the field can be highly challenging. Surveyors could unintentionally be in violation of SB 545 without knowing it. It is not clear how a permittee would be notified when a property is transferred to a new owner. To implement this bill in a manner that mitigates liability, SHA/the State would need to create a tracking

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mechanism, linked to the State Department of Assessments and Taxation's property database, to flag properties which have transferred ownership. This would be the only way to ensure compliance in cases where properties have transferred ownership.

- The proposal applies to all private property, even in numerous areas not impacted by hunting activities. The intent of the bill appears to be tied to hunting season activities, but there are numerous urban and suburban areas where hunting is not feasible, but the bill does not attempt to limit the application to only certain properties.
- The proposal makes violations a criminal offense. Surveyors acting on behalf of the State could lose their license to practice, receive a misdemeanor fine of \$500 or up to six months in jail or both. Further, the legislation authorizes the State Board for Professional Land Surveyors to impose a fine not to exceed \$5,000 for each violation.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee consider this information during their deliberations and issue Senate Bill 545 an unfavorable report.

Respectfully submitted,

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