

HB431_MSS_FAV.pdf

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DATE: March 26, 2026

TO: Senate Judicial Proceedings Committee

FROM: Maryland Society of Surveyors (MSS)

RE: SUPPORT – HB0431 – Real Property – Recordation and Printing of Subdivision Plats – Alterations

Dear Chair, Smith, Vice Chair, Waldstreicher and members of the Committee,

The Maryland Society of Surveyors (MSS), the professional organization representing land surveyors across the State, respectfully submits this testimony in **strong support** of House Bill 431.

The Executive Summary While the principles of land surveying—measurement, accuracy, and property rights—remain constant, our tools have undergone a radical transformation. HB0431 is a critical modernization bill. It updates the Maryland Real Property Article to reflect 21st-century technology, removes obsolete material requirements, and streamlines administrative workflows.

Our support is driven by three technical imperatives:

1. Aligning Statutory Requirements with Modern Geodesy The current statute mandates that "traverse points" be shown on record plats. This requirement serves a function only if one is using optical instruments that require a direct line of sight between markers. Today, with the universal adoption of Global Positioning Systems (GPS) and robotic total stations, inter-visibility is no longer a prerequisite for precision.

- **The Impact:** Strictly enforcing the current "line of sight" law often forces surveyors to unnecessarily clear vegetation or obstacles solely to satisfy the code, not to improve the survey.
- **The Fix:** HB0431 removes the traverse point requirement while preserving the strict mandate for geodetic control. By requiring four coordinate points on the plat—chosen at the professional's discretion—we maintain high accuracy without imposing arbitrary geometric constraints.

2. Removing Barriers to Digital Archiving The existing code references specific physical media (e.g., Mylar) that are becoming increasingly obsolete and costly. By strictly defining the physical material in the statute, the law unintentionally hinders the Circuit Courts and the State Archives from adopting more efficient, digital-first workflows.

- HB0431 replaces these material-specific mandates with a requirement to adhere to the **Maryland State Archives' published standards**. This allows industry to evolve naturally toward digital submission and preservation without requiring a new act of the General Assembly for every technological iteration.

3. Correcting Terminology and Resource Allocation Finally, this bill harmonizes the Real Property Article with other state statutes by updating the term "marsh" to "wetland," reflecting modern environmental nomenclature. Furthermore, shifting the recordation fee to a "per page" basis corrects a long-standing imbalance, ensuring that the fee structure adequately supports the administrative labor required to process complex, multi-page subdivision plats.

HB0431 represents a consensus among professional surveyors in Maryland. It modernizes our practice, protects the integrity of land records, and streamlines the recording process.

We respectfully request a **FAVORABLE** report.

Sincerely,

William Bower

Maryland Society of Surveyors