

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 1342

H.P. 988

House of Representatives, March 12, 2003

### **An Act To Establish a Right of Entry for Surveyors Performing Surveying Services**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative RICHARDSON of Brunswick.  
Cosponsored by Senator MAYO of Sagadahoc and  
Representatives: MILLS of Farmington, ROSEN of Bucksport.

Be it enacted by the People of the State of Maine as follows:

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4       Sec. 1. 32 MRSA §13913 is enacted to read:

6       §13913. Right of entry for professional land surveyor  
7               performing surveying services

8               When performing surveying services at the request of a  
9               landowner or person with an interest in real estate, a  
10              professional land surveyor and the surveyor's assistants may,  
11              without the consent of the owner or person in possession, enter  
12              upon or cross any lands necessary to perform surveying services.

14             1. No authority to intentionally damage or move object.  
15             Nothing in this section may be construed as giving authority or  
16             license to a professional land surveyor or the surveyor's  
17             assistant to intentionally destroy, injure, damage or move any  
18             object, chattel or item on the lands of another without the  
19             permission of the owner.

20             2. Civil liability for actual damage. This section may not  
21             be construed to remove civil liability for actual damage to land,  
22             chattels, crops or personal property.

24             3. No authority to enter building used as residence or for  
25             storage. This section may not be construed to give a  
26             professional land surveyor or the surveyor's assistant the  
27             authority to enter any building or structure used as a residence  
28             or for storage.

30             4. Professional land surveyor shall make reasonable effort  
31             to notify landowners. A professional land surveyor shall make  
32             reasonable effort to notify a landowner upon whose land it is  
33             necessary for the professional land surveyor to enter or cross.

36             5. Owner or occupant of land not liable. An owner or  
37             occupant of the land is not liable for any injury or damage  
38             sustained by any person entering upon that owner or occupant's  
39             land under the provisions of this section.

40             6. Professional land surveyor and assistant shall carry  
41             identification and display upon request. A professional land  
42             surveyor and the surveyor's assistant shall carry means of proper  
43             identification as to their registration or employment and shall  
44             display this identification to anyone requesting identification.  
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## SUMMARY

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4       This bill provides that when performing surveying services  
6       at the request of a landowner or person with an interest in real  
8       estate, a professional land surveyor and the surveyor's assistant  
      may, without the consent of the owner or person in possession,  
      enter upon or cross any lands necessary to perform surveying  
      services.