

HOUSE BILL 684 & COMAR

Background and Proposed Changes

Dave is not a lawyer. The working group recommends the MSGIC retain the services of a lawyer to interpret the law and represent our interests in regulatory affairs.

- Professional Land Surveyors are licensed by the state.
- GIS Practitioners, Cartographers, and Photogrammetrists are not
- These practices overlap – where do we draw the line?
 - The Law – House Bill 684 broadly defines the practice of survey and enables the board to create and enforce regulations. (Legislation)
 - COMAR – These are the regulations. They are written by the state board for professional land surveyors. They narrow in on what the practice of survey is, who is qualified, and what the standards of practice are.
 - The Board For Professional Land Surveyors – These are the people that write and enforce the regulations. (Executive Branch)



**Maryland State Geographic
Information Committee**

HOUSE BILL 684

Proposed COMAR Changes

Are the changes an improvement? Maybe – I'm not a lawyer.

- Refined definitions of the terms authoritative, precise, and positional tolerance with positional tolerance defined as '... 2 centimeters'
- Topographic collection now has an exemption for people that have other qualifications from the GISCI and relevant certifying organizations.

Does this mean I can do 'mapping grade' GIS work without license?

- I don't have an answer



**Maryland State Geographic
Information Committee**

HOUSE BILL 684

The Comment Period is Now

The public meeting is tomorrow in Ocean City

The email comment period ends on October 26th.

The HB684 working group prepared this comment



**Maryland State Geographic
Information Committee**

HOUSE BILL 684

Proposed COMAR Changes

The MSGIC recognizes the need to protect the public and we see the value of having a license on the line where necessary. What's at risk for MSGIC and the public at large is collateral damage in a broadly written regulation.

Geographers and geospatial professionals have long determined, processed, and reported locations, lines, and angles for a wide variety of applications. We do this, as professionals, for 911 and emergency services. We do this for tens of thousands of utility inspections each year. We do this for airplanes in flight and packages in transit. We use remote sensing techniques to determine the aspect and angle of roof tops for solar suitability at a nationwide scale.

“As an example, when I leave here today my phone will have collected a point and Google will ask me to assign this place an attribute of 1 to 5 stars. Should a regulation interpret that act as the practice of land survey? To state such a broad set of activities as the ‘practice of land surveying’ would have significant economic impact without offering the public protection the framers intended.”



**Maryland State Geographic
Information Committee**

HOUSE BILL 684

The Comment Period is Now

Existing text of interest – Not new.

§15-101. . . .

(k) (1) “Practice land surveying” means providing or offering to provide professional services that require the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the requirements of the relevant law to authoritatively determine, regardless of the technology or method used, the accurate and precise location of a feature, object, or boundary of real property with reference to the surface of the earth, space above the surface of the earth, or underground.

(2) “Practice land surveying” includes:

(i) measuring, platting, and locating lines, angles, elevations, natural or artificial features in the air, on the surface of the earth, in underground work, and on the beds of bodies of water for the purpose of determining and reporting positions, topography, areas, and volumes;

[Laws - Statute Text \(maryland.gov\)](#)



HOUSE BILL 684

Proposed COMAR Changes

Maryland Board for Professional Surveyors

- <https://www.dllr.state.md.us/license/lis/>

Proposed changes

- http://www.dsd.state.md.us/MDR/4920/Assembled.htm#_Toc114572471

Existing Code

- http://www.dsd.state.md.us/COMAR/subtitle_chapters/09_Chapters.aspx#Subtitle13
- <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gb§ion=15-101&enactments=true>



**Maryland State Geographic
Information Committee**