

(AMENDMENT TO 18 Pa.C.S. § 3503)

(c)(4) Surveyors

(i) Upon fulfilling the requirements of subparagraphs (ii) and (iv), a person licensed to and engaged in the practice of land surveying pursuant to this section, and any agents or employees under his direction who are necessary to make a land survey, shall have the authority to enter upon land of another during reasonable hours and to remain only so long as necessary to make a land survey and shall not be subject to criminal or civil liability for so doing except as provided herein.

(ii) The licensed professional land surveyor shall make a reasonable attempt to notify the owner of the land and, in the case of a lease, the lessee thereof, of his desire to enter on, over and upon the owner's or lessee's land to make a land survey. Reasonable attempt shall include, but not be limited to, notification by certified mail, return receipt requested, sent at least three days prior to entry to the owner or lessee at the address identified on any posted signs prohibiting trespass, or absent such signs, the address maintained by the county assessor or the postal address of any dwelling on the property. In addition, the licensed professional land surveyor shall send notice by certified mail, return receipt to the police department of the municipality in which the land is located or, if none exists, the Pennsylvania State Police. Such notification of the owner and police or state police shall include a statement of his intention to enter the land, the names, addresses, and contact information of those who propose to enter the land and the date, time, duration, and location of the proposed entry.

(iii) The authority conferred by paragraph (a) shall not apply to entry into any structure.

(iv) A person authorized by this subsection shall carry proper identification as to his license or employment and provide such identification upon request to the landowner, lessee or any law enforcement authority.

(v) A person authorized by this subsection shall operate only within a distance from the property line of the land being surveyed as is necessary to complete the survey.

(vi) Surveyor duty of care. Nothing in this subsection shall relieve a surveyor, employee or agent from any civil liability which would otherwise accrue as a result of injury or damage caused during such entry or while remaining on the premises.

(vii) Liability of landowner. The duty of care owed by the landowner to a surveyor, his agent or employee entering and remaining upon land under this subsection shall be that owed to a trespasser.