



State of Rhode Island
DEPARTMENT OF BUSINESS REGULATION
1511 Pontiac Avenue, Bldg. 68-2
Cranston, RI 02920

Office of the Director

March 7, 2024

The Honorable Joseph J. Solomon, Jr.
Chair, House Committee on Corporations

RE: H7610 – An Act Relating to Businesses and Professions -- Land Surveyors

Dear Chair Solomon:

We are writing on behalf of the Department of Business Regulation and the Board of the Registration for Professional Land Surveyors in support of H7610. This bill would clarify the procedures for a Professional Land Surveyor (“PLS”) to enter abutting property to identify boundary lines and relevant property features necessary to complete a survey or development plan.

Land Surveying is a complex profession rooted in colonial boundary law. Historically, not all property corners were monumented, and boundary locations were referenced from other parcels and monuments in deeds and plats. Thus, a PLS must locate monuments that may not be on the subject property, to properly ascertain boundary lines in the reproduction or rebuilding of the fee title location of the lot being surveyed. The precise placement of boundaries is essential to protect property rights and public health, safety, and welfare.

In addition to boundaries, a PLS is often required to identify existing features on abutting lots such as private wells, public wells, septic systems, drains, wetland features, and coastal features. These features must be precisely located and depicted on development plans to ensure that the applicable setbacks are maintained to protect the environment, health, and safety. For example, the designer of a simple septic system (OWTS) is required by RIDEM to show any well within 200 feet of the proposed septic system, whether the well is on the subject property or on an abutting property. This setback requirement ensures that the installation of the septic system will not result in the contamination of any nearby wells.

Thank you for your consideration of our position on this proposed legislation.

Sincerely,

Elizabeth K. Dwyer, Esq.,
Director, Department of Business Regulation

Michael J. McCormick, PLS
Chair, Board of Registration of Professional
Land Surveyors

cc: The Honorable Members of the House Committee on Corporations
The Honorable Terri Cortvriend
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House