

IN THE SENATE

SENATE BILL NO. 1037

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1  
2 RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1230, IDAHO CODE,  
3 TO CLARIFY THAT PRIVATE LAND SURVEYORS MAY ACCESS PRIVATE LANDS AND TO  
4 MAKE TECHNICAL CORRECTIONS.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 54-1230, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 54-1230. PUBLIC LAND SURVEYING -- RIGHT OF ENTRY. (1) Any person duly  
9 licensed by the state of Idaho as a professional land surveyor, including all  
10 subordinates subject to the supervision of a licensed surveyor while under-  
11 taking land survey activities, and any surveyor employed in the execution  
12 of any survey authorized by the congress of the United States may enter upon  
13 lands within this state for the purpose of exploring, triangulating, level-  
14 ing, surveying, and of doing any work which that may be necessary to carry out  
15 the objects of the existing laws relative to surveys, and may establish per-  
16 manent station marks, and may erect the necessary signals and temporary ob-  
17 servatories, doing no unnecessary injury thereby.

18 (2) Nothing in this section shall affect the right of entry established  
19 in sections 40-1310 and 40-2301, Idaho Code.

20 (3) A surveyor or his subordinate shall not enter railroad property  
21 pursuant to this section without written permission from the railroad's  
22 chief engineering officer or his designee.

23 (4) A surveyor or his subordinate will provide written notice to  
24 the landowner or occupant prior to entry, and shall cooperate with the  
25 landowner, occupant, or his agent to avoid disruption of a business or agri-  
26 cultural operation.