

RIGHT OF ENTRY LAW

LAWS OF NEW YORK, 2004, CHAPTER 358

AN ACT to amend the general obligations law, in relation to the right of entry for professional surveyors performing surveying services

Became a law August 10, 2004, with the approval of the Governor. Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general obligations law is amended by adding a new section 9-105 to read as follows:

§ 9-105. Right of entry for professional land surveyor performing surveying services. When performing surveying services as a professional land surveyor licensed under article one hundred forty-five of the education law, the authorized agents or employees of any such land surveyor may enter upon or cross any lands necessary to perform surveying services.

1. No authority to intentionally damage an object. Nothing in this section shall be construed as giving authority or license to a professional land surveyor or the authorized agents or employees of such a land surveyor, to intentionally destroy, injure or damage any object, chattel or item on the lands of another without the permission of the owner.

2. Civil liability. This section shall not be construed to remove civil liability for damage to land, chattels, crops or personal property.

3. No authority to enter building used as residence or for storage.

This section shall not be construed to give a professional land surveyor, authorized agent or employee the authority to enter any building or structure used as a residence or for storage.

4. A professional land surveyor, authorized agent or employee shall carry identification and display upon request. A professional land surveyor and their authorized agent or employee shall carry means of proper identification as to their registration or employment and shall display such identification to anyone requesting identification.

§ 2. This act shall take effect immediately.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

JOSEPH L. BRUNO

Temporary President of the Senate

SHELDON SILVER

Speaker of the Assembly