

Changes to Professional Land Surveyor Limited Right of Entry

Pursuant to Session Law 2025-94, effective October 6, 2025, the limited right of entry for professional land surveyors, formerly codified in Chapter 89C of the North Carolina General Statutes, has been removed from Chapter 89C and recodified in Article 22B of Chapter 14 as an exception to criminal trespass.

The recodified law states that “[a] professional land surveyor shall have the right to enter upon the lands of others, if necessary to perform surveys for the practice of land surveying, including the location of property corners, boundary lines, rights-of-way, and easements, and may carry with them their customary equipment and vehicles.” Further, any “entry by a professional land surveyor to perform the practice of land surveying . . . shall not constitute trespass . . . and shall not cause the professional land surveyor to be subject to arrest or a civil action by reason of the entry.”

The law makes clear that it does not authorize a professional land surveyor to “destroy, injure, damage, or move anything on the lands of another without the written permission of the landowner,” and that a surveyor may be held liable for any such damage. In addition, “[n]o professional land surveyor shall have a civil cause of action against a landowner for personal injury or property damage incurred while on the land for purposes [of conducting the practice of land surveying] except when such damages and injury were willfully or deliberately caused by the landowner.”

The statute does not grant land surveyors the authority to enter property owned, held, used, or operated by a railroad or their subsidiaries, or to enter lands containing critical infrastructure without permission.

The law imposes no requirement that a professional land surveyor provide notice to adjoining landowners of the surveyor’s intent to enter property.

Finally, the legislature amended the provisions governing a court’s ability to award attorneys’ fees in lawsuits involving surveyors. Courts may now award attorneys’ fees in actions for trespass upon real property and in actions against licensed surveyors or their agents when the negligence or deficiency of the surveyor or their agent causes physical damage or economic or monetary loss.

The Board does not possess the authority to enforce these provisions. If you have questions, please contact Wes Tripp, Board Counsel, at wtripp@ncbels.org or 919-791-2000 Ext., 111.

[Link to Session Law 2025-94 \(See Section 2\)](#)