

## Reminder of Reference Marks

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### 61-23-28 Reference Marks—Removal or Obliteration—Replacement

When it becomes necessary by reason of the construction of public or private works to remove or obliterate any triangulation station, benchmark, corner, monument, stake, witness mark or other reference mark, it shall be the duty of the person in charge of the work to cause to be established by a licensed surveyor one or more permanent reference marks, which shall be plainly marked as witness corners or reference marks as near as practicable to the original mark and to record a map, field notes or both with the county clerk of the county wherein located, showing clearly the position of the marks established with reference to the position of the original mark. The surveys or measurements made to connect the reference marks with the original mark shall be of at least the same order of precision as the original survey.

**PRIVATE PROPERTY**  
**NO**  
**TRESPASSING**  
**VIOLATORS**  
**WILL BE PROSECUTED**

New Mexico Board of Licensure for  
Professional Engineers & Professional  
Surveyors

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## Professional Surveyor's Guide to Right of Entry

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*An Informational Brochure from the  
NMBLPEPS*



## Statutory Right of Entry

You, the Professional Surveyor in charge, have a statutory right of entry (ROE) to enter private property for land survey work.

This carries the following statutory responsibilities:

- ⊕ Understand ROE laws and rights
- ⊕ Prior notification where practicable
- ⊕ Notify owner or tenant of entry upon arrival, when practicable
- ⊕ Train and educate staff on company policies and practices with regard to ROE

Always remember, Right of Entry is a privilege and with it comes responsibility. Acting professionally, using good judgement, respect for privacy, courtesy and ethical considerations are essential for maintaining this privilege.

## Suggestions for Consideration

- ⊕ Know the local law enforcement phone number and have it ready if there is a potential conflict.
- ⊕ Make conflict avoidance your first concern and never let a situation escalate to a physical conflict.
- ⊕ Carry identification—as a licensed professional surveyor, and/or survey company employee.
- ⊕ Discuss with your client regarding who will notify neighbors about survey entry
- ⊕ Notification of your presence should not be a burden, but an opportunity for future cooperation.
- ⊕ Use of tact and respect when talking to property owners or tenants.
- ⊕ Leave the property in the same condition as you found it.
- ⊕ Act Professionally. Be proactive, courteous and as helpful as possible.
- ⊕ Unresolved issues may be directed to the Board of Licensure for Professional Engineers and Professional Surveyors

## New Mexico Engineering & Surveying Practice Act

### 61-23-30. RIGHT OF ENTRY ON PUBLIC AND PRIVATE PROPERTY— RESPONSIBILITY

The engineers and surveyors of the United States and licensed professional engineers and surveyors of the state shall have the right to enter upon the lands and waters of the state and of private persons and of private and public corporations within the state for the purpose of making surveys, inspections, examinations and maps, subject to responsibility for actual damage to crops or other property or for injuries resulting from negligence or malice caused on account of that entry.

