
PLSO SUPPORTS SENATE BILL 213 -2 AMENDMENTS

Testimony to Senate Judiciary and Ballot Measure 110 Implementation Committee / March 22, 2021

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Chair Prozanski and Members of the Committee:

The Professional Land Surveyors of Oregon (PLSO) is an association representing the interests of Professional Land Surveyors in Oregon. Surveyors are licensed and regulated by the Oregon State Board of Examiners for Engineering & Land Surveying (OSBEELS). Professional Land Surveyors provide services that locate or relocate property boundaries, as well as providing land use planning services. PLSO has more than 600 members across the state, including both public and private sector professional surveyors. PLSO is affiliated with the National Society of Professional Surveyors (NSPS) which represents surveyors nationally.

Professional Land Surveyors are proud of the work they do. They are willing to stand behind their work and defend the quality and accuracy of their work product. Professional Land Surveyors hold liability insurance protecting their clients in the rare event that an error occurs. However, Professional Land Surveyors, along with other design professionals, should not have the obligation to financially defend the work of other people who do not work for the design professional. It is not an insurable liability and it places an undue and inappropriate burden on the shoulders of the design professional.

Design professional indemnity agreements should not extend beyond the four corners of the work to which they have been hired to perform. To require otherwise can impact on which projects a Surveyor will bid, simply because of the exposure they may have for design work unrelated to their surveying. This unfair indemnity obligation especially impacts smaller, emerging, and disadvantaged firms which often can't afford the expanded exposure which comes from bidding on large projects. This provision discriminates against the very kind of firms that should be incentivized – not discourage -- to expand and succeed.

***No part of SB213 shields a design professional from liability resulting from
the actual work performed by the design professional.***

Oregon's Professional Land Surveyors asks you to adopt the -2 Amendments and move the amended SB213 to the Senate floor with a "do pass as amended" recommendation. ***Thank you.***