
By: Delegates Love and Goldwater

Introduced and read first time: February 8, 1996

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 1996

CHAPTER ____

1 AN ACT concerning

2 **Design Professional Boards - Reinstatement of Licenses - Fees**

3 FOR the purpose of altering certain fees charged by the State Board of Architects, the
4 State Board of Examiners of Landscape Architects, the State Board for Professional
5 Engineers, and the State Board for Professional Land Surveyors for licensees to
6 reinstate licenses; requiring certain licensees to pay certain renewal fees; requiring
7 the State Board of Examiners of Landscape Architects to reinstate certain licenses
8 under certain circumstances; making certain stylistic changes; and generally relating
9 to the fees charged by the State Board of Architects, the State Board of Examiners
10 of Landscape Architects, the State Board for Professional Engineers, and the State
11 Board for Professional Land Surveyors for licensees to reinstate licenses.

12 BY repealing and reenacting, with amendments,
13 Article - Business Occupations and Professions
14 Section 3-310, 9-313, 14-315, ~~and 14-320~~, 15-315, and 15-321
15 Annotated Code of Maryland
16 (1995 Replacement Volume and 1995 Supplement)

17 BY adding to
18 Article - Business Occupations and Professions
19 Section 9-314
20 Annotated Code of Maryland
21 (1995 Replacement Volume and 1995 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

2

1 **Article - Business Occupations and Professions**

2 3-310.

3 (A) The Board shall reinstate the license of an architect who, for any reason, has
4 failed to renew the license by the end of the 30-day grace period if the architect:

5 (1) meets the renewal requirements of § 3-309 of this subtitle;

6 (2) pays to the Board [the] ALL PAST DUE renewal [fee required under §
7 3-309 of this subtitle] FEES;

8 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (B) OF THIS
9 SECTION, pays to the Board a reinstatement fee [not exceeding \$85, as set by the Board]
10 OF \$100, IN ADDITION TO ALL PAST DUE RENEWAL FEES; and

11 (4) submits to the Board a reinstatement application on the form that the
12 Board provides.

13 (B) THE BOARD MAY WAIVE A REINSTATEMENT FEE FOR A LICENSEE WHO
14 PROVIDES EVIDENCE SATISFACTORY TO THE BOARD THAT THE LICENSEE DID NOT
15 PRACTICE ARCHITECTURE DURING THE TIME THE LICENSE LAPSED.

16 9-313.

17 (a) Subject to any regulation that the Board adopts, the Board may reinstate a
18 license that has been revoked.

19 (b) A license may be reinstated under this section only on:

20 (1) the affirmative vote of a majority of the members of the Board then
21 serving; and

22 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS
23 SECTION, payment to the Board of a reinstatement fee [not exceeding \$35, as set by the
24 Board] OF \$100.

25 ~~(C) THE BOARD MAY NOT REQUIRE A LANDSCAPE ARCHITECT WHO HAS NOT~~
26 ~~PRACTICED LANDSCAPE ARCHITECTURE DURING THE TIME PERIOD THE~~
27 ~~LANDSCAPE ARCHITECT DID NOT RENEW THE LICENSE TO PAY A REINSTATEMENT~~
28 ~~FEE.~~

29 9-314.

30 (A) THE BOARD SHALL REINSTATE THE LICENSE OF AN INDIVIDUAL WHO,
31 FOR ANY REASON, HAS FAILED TO RENEW THE LICENSE, IF THE INDIVIDUAL:

32 (1) APPLIES TO THE BOARD FOR REINSTATEMENT WITHIN 2 YEARS
33 AFTER THE LICENSE EXPIRES;

34 (2) MEETS THE RENEWAL REQUIREMENTS OF § 9-309 OF THIS SUBTITLE
35 AND PAYS TO THE BOARD ALL PAST DUE RENEWAL FEES; AND

36 (3) PAYS TO THE BOARD A REINSTATEMENT FEE OF \$100, IN ADDITION
37 TO ALL PAST DUE RENEWAL FEES.

3

1 (B) (1) IF AN INDIVIDUAL HAS FAILED TO RENEW A LICENSE FOR ANY
2 REASON AND THEN APPLIES TO THE BOARD FOR REINSTATEMENT MORE THAN 2
3 YEARS AFTER THE LICENSE HAS EXPIRED, THE BOARD MAY:

4 (I) REQUIRE THE INDIVIDUAL TO REAPPLY FOR A LICENSE IN THE
5 SAME MANNER THAT AN APPLICANT APPLIES FOR AN ORIGINAL LICENSE UNDER
6 THIS SUBTITLE; OR

7 (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, REINSTATE
8 THE LICENSE.

9 (2) THE BOARD MAY REINSTATE A LICENSE UNDER PARAGRAPH (1)(II)
10 OF THIS SUBSECTION, IF THE INDIVIDUAL:

11 (I) MEETS THE RENEWAL REQUIREMENTS OF § 9-309 OF THIS
12 SUBTITLE AND PAYS TO THE BOARD ALL PAST DUE RENEWAL FEES;

13 (II) IF REQUIRED BY THE BOARD, STATES REASONS WHY
14 REINSTATEMENT SHOULD BE GRANTED; AND

15 (III) PAYS TO THE BOARD A REINSTATEMENT FEE OF \$100, IN
16 ADDITION TO ALL PAST DUE RENEWAL FEES REQUIRED.

17 (C) THE BOARD MAY WAIVE A REINSTATEMENT FEE FOR A LICENSEE WHO
18 PROVIDES EVIDENCE SATISFACTORY TO THE BOARD THAT THE LICENSEE DID NOT
19 PRACTICE LANDSCAPE ARCHITECTURE DURING THE TIME THE LICENSE LAPSED.

20 14-315.

21 (a) The Board shall reinstate the license of an individual who, for any reason, has
22 failed to renew the license if the individual:

23 (1) applies to the Board for reinstatement within 2 years after the license
24 expires;

25 (2) meets the renewal requirements of § 14-314 of this subtitle AND PAYS
26 TO THE BOARD ALL PAST DUE RENEWAL FEES; and

27 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS
28 SECTION, pays to the Board a reinstatement fee of [the] \$100, in addition to [the
29 renewal fee required under § 14-314 of this subtitle] ALL PAST DUE RENEWAL FEES.

30 (b) (1) If an individual has failed to renew a license for any reason and then
31 applies to the Board for reinstatement more than 2 years after the license has expired, the
32 Board may:

33 (i) require the individual to reapply for a license in the same manner
34 as an applicant applies for an original license under this subtitle; or

35 (ii) subject to paragraph (2) of this subsection, reinstate the license.

36 (2) The Board may reinstate a license under paragraph (1)(ii) of this
37 subsection only if the individual:

4

1 (i) meets the renewal requirements of § 14-314 of this subtitle AND
2 PAYS TO THE BOARD ALL PAST DUE RENEWAL FEES;

3 (ii) if required by the Board, states reasons why reinstatement should
4 be granted; and

5 (iii) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS
6 SECTION, pays to the Board a reinstatement fee of [\$20] \$100, in addition to [the
7 renewal fee required under § 14-314 of this subtitle] ALL PAST DUE RENEWAL FEES.

8 (C) THE BOARD MAY WAIVE A REINSTATEMENT FEE FOR A LICENSEE WHO
9 PROVIDES EVIDENCE SATISFACTORY TO THE BOARD THAT THE LICENSEE DID NOT
10 PRACTICE ENGINEERING DURING THE TIME THE LICENSE LAPSED.

11 14-320.

12 (a) Subject to any regulation that the Board adopts, it may reinstate a license that
13 has been revoked.

14 (b) A license may be reinstated under this section only on:

15 (1) the affirmative vote of a majority of the members of the Board then
16 -serving; and

17 (2) payment to the Board of a reinstatement fee [not exceeding \$35, as set
18 by the Board] OF \$100.

19 15-315.

20 (a) The Board shall reinstate the license of an individual who, for any reason, has
21 failed to renew the license if the individual:

22 (1) applies to the Board for reinstatement within 2 years after the license
23 expires;

24 (2) meets the renewal requirements of § 15-314 of this subtitle AND PAYS
25 TO THE BOARD ALL PAST DUE RENEWAL FEES; and

26 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION ~~(C)~~ (D) OF THIS
27 SECTION, pays to the Board a reinstatement fee of [\$200 for professional land surveyors
28 and \$150 for property line surveyors] \$100, IN ADDITION TO ALL PAST DUE RENEWAL
29 FEES.

30 (b) (1) If an individual has failed to renew a license to practice land surveying
31 for any reason and then applies to the Board for reinstatement more than 2 years after
32 the license has expired, the Board:

33 (i) may require the individual to reapply for a license in the same
34 manner as an applicant applies for an original license under this subtitle; or

35 (ii) subject to paragraph (2) of this subsection, may reinstate the
36 license.

37 (2) The Board may reinstate a license under paragraph (1) of this subsection
38 only if the individual:

5

1 (i) meets the renewal requirements of § 15-314 of this subtitle AND
2 PAYS TO THE BOARD ALL PAST DUE RENEWAL FEES;

3 (ii) if required by the Board, states reasons why reinstatement should
4 be granted; and

5 (iii) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION ~~(C)~~ (D) OF
6 THIS SECTION, pays to the Board a reinstatement fee of [§135] \$100.

7 (c) (1) If an individual has failed to renew a license to practice property line
8 surveying for any reason and then applies to the Board for reinstatement more than 2
9 years after the license has expired, the Board, subject to paragraph (2) of this subsection,
10 may reinstate the license.

11 (2) The Board may reinstate a license under paragraph (1) of this subsection
12 only if the individual:

13 (i) meets the renewal requirements of § 15-314 of this subtitle AND
14 PAYS TO THE BOARD ALL PAST DUE RENEWAL FEES;

15 (ii) if required by the Board, states reasons why reinstatement should
16 be granted; and

17 (iii) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (D) OF THIS
18 SECTION, pays to the Board a reinstatement fee of \$100, IN ADDITION TO ALL PAST DUE
19 RENEWAL FEES.

20 (D) THE BOARD MAY WAIVE A REINSTATEMENT FEE FOR A LICENSEE WHO
21 PROVIDES EVIDENCE SATISFACTORY TO THE BOARD THAT THE LICENSEE DID NOT
22 PRACTICE LAND SURVEYING OR PROPERTY LINE SURVEYING, AS APPROPRIATE,
23 DURING THE TIME THE LICENSE LAPSED.

24 15-321.

25 (a) Subject to any regulation that the Board adopts, it may reinstate a license that
26 has been revoked.

27 (b) A license may be reinstated under this section only on:

28 (1) the affirmative vote of a majority of the members of the Board then
29 serving; and

30 (2) payment to the Board of a reinstatement fee [not exceeding \$35, as set
31 by the Board] OF \$100.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 1996.

