
By: Senators Blount and Collins

Introduced and read first time: February 2, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

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 15-315
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:

24 **Article - Business Occupations and Professions**

25 3-310.

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

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

29 (2) pays to the Board [the] ALL PAST DUE renewal [fee required under §
30 3-309 of this subtitle] FEES;

2

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

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

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

9 9-313.

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11 license that has been revoked.

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

13 (1) the affirmative vote of a majority of the members of the Board then
14 serving; and

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

18 (C) THE BOARD MAY NOT REQUIRE A LANDSCAPE ARCHITECT WHO HAS NOT
19 PRACTICED LANDSCAPE ARCHITECTURE DURING THE TIME PERIOD THE
20 LANDSCAPE ARCHITECT DID NOT RENEW THE LICENSE TO PAY A REINSTATEMENT
21 FEE.

22 9-314.

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

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

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

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

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

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

37 (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, REINSTATE
38 THE LICENSE.

3

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

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

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

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

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

12 14-315.

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

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

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

19 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS
20 SECTION, pays to the Board a reinstatement fee of [\$10] \$100, in addition to [the
21 renewal fee required under § 14-314 of this subtitle] ALL PAST DUE RENEWAL FEES.

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

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

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

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

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

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

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

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

4 15-315.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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