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**By: Chairman, Economic Matters Committee (Departmental - Labor, Licensing and Regulation)**

Introduced and read first time: January 27, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

**2 Department of Labor, Licensing, and Regulation - Staggered Licensing**

3 FOR the purpose of allowing the Secretary of Labor, Licensing, and Regulation to  
4 determine that certain occupational and professional licenses and certificates shall  
5 expire on a staggered basis; and generally relating to occupational and professional  
6 licenses issued by the Department of Labor, Licensing, and Regulation or a unit of  
7 the Department of Labor, Licensing, and Regulation.

8 BY repealing and reenacting, with amendments,  
9 Article - Business Occupations and Professions  
10 Section 2-311, 3-309, 6-310, 7-308, 8-307, 9-309, 11-408, 12-308, 14-314, and  
11 15-314  
12 Annotated Code of Maryland  
13 (1995 Replacement Volume and 1996 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article - Business Regulation  
16 Section 9A-309 and 12-207  
17 Annotated Code of Maryland  
18 (1992 Volume and 1996 Supplement)

19 BY repealing and reenacting, with amendments,  
20 The Public Local Laws of Baltimore City  
21 Section 4-2  
22 Article 4 - Public Local Laws of Maryland  
23 (1979 Edition and 1991 and 1993 Supplements, as amended)  
24 (As enacted by Chapter 135 of the Acts of the General Assembly of 1994)

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

2

1 **Article - Business Occupations and Professions**

2 2-311.

3 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
4 license expires on the first December 31 that comes:

5 (1) after the effective date of the license; and

6 (2) in an even-numbered year.

7 (b) At least 1 month before a license expires, the Board shall mail to the licensee,  
8 at the last known address of the licensee:

9 (1) a renewal application form; and

10 (2) a notice that states:

11 (i) the date on which the current license expires;

12 (ii) the date by which the Board must receive the renewal application  
13 for the renewal to be issued and mailed before the license expires; and

14 (iii) the amount of the renewal fee.

15 (c) Before a license expires, the licensee periodically may renew it for an  
16 additional 2-year term, if the licensee:

17 (1) otherwise is entitled to be licensed;

18 (2) pays to the Board a renewal fee not exceeding \$80, as set by the Board;

19 and

20 (3) submits to the Board:

21 (i) a renewal application on the form that the Board provides; and

22 (ii) satisfactory evidence of compliance with the continuing education  
23 requirements set under this subtitle for license renewal.

24 (d) The Board shall renew the license of each licensee who meets the  
25 requirements of this section.

26 (E) THE SECRETARY MAY DETERMINE THAT LICENSES ISSUED UNDER THIS  
27 SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

28 3-309.

29 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
30 license expires on the first June 30 that comes:

31 (1) after the effective date of the license; and

32 (2) in an even-numbered year.

33 (b) At least 1 month before a license expires, the Board shall mail to the licensee,  
34 at the last known address of the licensee:

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1 (1) a renewal application form; and

2 (2) a notice that states:

3 (i) the date on which the current license expires;

4 (ii) the date by which the Board must receive the renewal application  
5 for the renewal to be issued and mailed before the license expires; and

6 (iii) the amount of the renewal fee.

7 (c) Before a license expires, the licensee periodically may renew it for an  
8 additional 2-year term, if the licensee:

9 (1) otherwise is entitled to be licensed;

10 (2) pays to the Board a renewal fee not exceeding \$70, as set by the Board;  
11 and

12 (3) submits to the Board a renewal application on the form that the Board  
13 provides.

14 (d) The Board shall renew the license of each licensee who meets the  
15 requirements of this section.

16 (e) An architect has a grace period of 30 days after the architect's license expires  
17 in which to renew it retroactively, if the architect:

18 (1) otherwise is entitled to have the license renewed; and

19 (2) pays the renewal fee to the Board.

20 (F) THE SECRETARY MAY DETERMINE THAT LICENSES ISSUED UNDER THIS  
21 SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

22 6-310.

23 (a) Unless a State license is renewed for a 2-year term as provided in this section,  
24 the State license expires on the first June 30 that comes:

25 (1) after the effective date of the State license; and

26 (2) in an odd-numbered year.

27 (b) At least 1 month before a State license expires, the State Board shall mail to  
28 the State licensee, at the last known address of the State licensee:

29 (1) a renewal application form; and

30 (2) a notice that states:

31 (i) the date on which the current State license expires;

32 (ii) the date by which the State Board must receive the renewal  
33 application for the renewal to be issued and mailed before the State license expires; and

34 (iii) the amount of the renewal fee.

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1 (c) Before a State license expires, the State licensee periodically may renew it for  
2 an additional 2-year term, if the State licensee:

3 (1) otherwise is entitled to be licensed;

4 (2) pays to the State Board a renewal fee of \$100; and

5 (3) submits to the State Board a renewal application on the form that the  
6 State Board provides.

7 (d) The State Board shall renew the State license of each State licensee who  
8 meets the requirements of this section.

9 (e) A State license to provide electrical services is not transferable.

10 (F) THE SECRETARY MAY DETERMINE THAT STATE LICENSES ISSUED UNDER  
11 THIS SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

12 7-308.

13 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
14 license expires on the first September 30 that comes:

15 (1) after the effective date of the license; and

16 (2) in an even-numbered year.

17 (b) At least 30 days before a license expires, the Board shall mail to the licensee,  
18 at the last known address of the licensee:

19 (1) a renewal application form; and

20 (2) a notice that states:

21 (i) the date on which the current license expires;

22 (ii) the date by which the Board must receive the renewal application  
23 for the renewal to be issued and mailed before the license expires; and

24 (iii) the amount of the renewal fee.

25 (c) (1) Before a license expires, the licensee periodically may renew it for an  
26 additional 2-year term, if the licensee:

27 (i) otherwise is entitled to be licensed;

28 (ii) except as provided in subsection (d) of this section, pays to the  
29 Board a renewal fee of \$100; and

30 (iii) submits to the Board a renewal application on the form that the  
31 Board provides.

32 (2) (i) 1. Except as provided in sub-subparagraph 2 of this  
33 subparagraph, the Board may not renew a license unless the licensee meets the  
34 continuing education requirements of this section.



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1 (E) THE SECRETARY MAY DETERMINE THAT CERTIFICATES ISSUED UNDER  
2 THIS SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

3 9-309.

4 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
5 license expires on the first June 30 that comes:

6 (1) after the effective date of the license; and

7 (2) in an even-numbered year.

8 (b) At least 1 month before a license expires, the Board shall mail to the licensee,  
9 at the last known address of the licensee:

10 (1) a renewal application form; and

11 (2) a notice that states:

12 (i) the date on which the current license expires;

13 (ii) the date by which the Board must receive the renewal application  
14 for the renewal to be issued and mailed before the license expires; and

15 (iii) the amount of the renewal fee.

16 (c) Before a license expires, the licensee periodically may renew it for an  
17 additional 2-year term, if the licensee:

18 (1) otherwise is entitled to be licensed;

19 (2) pays to the Board the renewal fee set by the Board; and

20 (3) submits to the Board a renewal application on the form that the Board  
21 provides.

22 (d) The Board shall renew the license of each licensee who meets the  
23 requirements of this section.

24 (E) THE SECRETARY MAY DETERMINE THAT LICENSES ISSUED UNDER THIS  
25 SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

26 11-408.

27 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
28 license expires on the first May 30 that comes:

29 (1) after the effective date of the license; and

30 (2) in an even-numbered year.

31 (b) At least 1 month before a license expires, the Board shall mail to the licensee,  
32 at the last known address of the licensee:

33 (1) a renewal application form; and

34 (2) a notice that states:

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- 1 (i) the date on which the current license expires;
- 2 (ii) the date by which the Board must receive the renewal application
- 3 for the renewal to be issued and mailed before the license expires; and
- 4 (iii) the amount of the renewal fee.

5 (c) Before a license expires, the licensee periodically may renew it for an  
6 additional 2-year term, if the licensee:

- 7 (1) applies for renewal in April or May of the year in which the license is
- 8 due to expire, unless the Board in its discretion allows otherwise;
- 9 (2) otherwise is entitled to be licensed;
- 10 (3) pays to the Board a renewal fee of:
  - 11 (i) \$600 for a license other than a limited license;
  - 12 (ii) \$300 for a 37-foot-draft limited license;
  - 13 (iii) \$300 for a 34-foot-draft limited license; or
  - 14 (iv) \$200 for a 28-foot-draft limited license; and
- 15 (4) submits to the Board a renewal application on the form that the Board
- 16 provides.

17 (d) The Board shall renew the license of a licensee who meets the requirements of  
18 this section.

19 (e) A limited license shall be valid for a 2-year period beginning on the date of its  
20 issuance by the Board.

21 (F) THE SECRETARY MAY DETERMINE THAT LICENSES ISSUED UNDER THIS  
22 SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

23 12-308.

24 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
25 license expires on the first May 1 that comes:

- 26 (1) after the effective date of the license; and
- 27 (2) in an odd-numbered year.

28 (b) At least 1 month before a license expires, the Board shall mail to the licensee,  
29 at the last known address of the licensee:

- 30 (1) a renewal application form; and
- 31 (2) a notice that states:
  - 32 (i) the date on which the current license expires;
  - 33 (ii) the date by which the Board must receive the renewal application
  - 34 for the renewal to be issued and mailed before the license expires; and

8

1 (iii) the amount of the renewal fee.

2 (c) Before a license expires, the licensee may renew it for an additional 2-year  
3 term, if the licensee:

4 (1) otherwise is entitled to be licensed;

5 (2) pays to the Board a renewal fee of:

6 (i) \$100 for a master plumber license or a limited master plumber  
7 license;

8 (ii) \$50 for a journey plumber license or a limited journey plumber  
9 license;

10 (iii) \$15 for an apprentice plumber license; or

11 (iv) \$50 for a propane gas fitter certificate; and

12 (3) submits to the Board:

13 (i) if contracting in the name of the licensee or another person to  
14 provide plumbing services, proof of the liability insurance required under § 12-501 of this  
15 title; and

16 (ii) a renewal application on the form that the Board provides.

17 (d) The Board shall renew the license of and issue a renewal certificate to each  
18 licensee who meets the requirements of this section.

19 (E) THE SECRETARY MAY DETERMINE THAT LICENSES AND CERTIFICATES  
20 ISSUED UNDER THIS SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

21 14-314.

22 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
23 license expires on the first June 30 that comes:

24 (1) after the effective date of the license; and

25 (2) in an even-numbered year.

26 (b) (1) At least 1 month before a license expires, the Board shall mail to the  
27 licensee, at the last known address of the licensee:

28 (i) a renewal application form; and

29 (ii) a notice that states:

30 1. the date on which the current license expires;

31 2. the date by which the Board must receive the renewal  
32 application for the renewal to be issued and mailed before the license expires; and

33 3. the amount of the renewal fee.



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1                   (2) The failure of a licensee to receive the notice for which this subsection  
2 provides does not prevent the license from expiring as specified under subsection (a) of  
3 this section.

4                   (c) Before a license expires, the licensee periodically may renew it for an  
5 additional 2-year term, if the licensee:

6                   (1) otherwise is entitled to be licensed;

7                   (2) pays to the Board a renewal fee of \$20; and

8                   (3) submits to the Board a renewal application on the form that the Board  
9 provides.

10                  (d) (1) The Board shall renew the license of and issue a renewal certificate to  
11 each licensee who meets the requirements of this section.

12                  (2) The Board shall include on each renewal certificate that the Board  
13 issues:

14                   (i) the date on which the current license expires; and

15                   (ii) the signatures of the chairman and secretary of the Board, under  
16 seal of the Board.

17                  (E) THE SECRETARY MAY DETERMINE THAT LICENSES ISSUED UNDER THIS  
18 SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

19 15-314.

20                  (a) Unless a license is renewed for a 2-year term as provided in this section, the  
21 license expires on the first June 30 that comes:

22                   (1) after the effective date of the license; and

23                   (2) in an odd-numbered year.

24                  (b) (1) At least 1 month before a license expires, the Board shall mail to the  
25 licensee, at the last known address of the licensee:

26                   (i) a renewal application form; and

27                   (ii) a notice that states:

28                                   1. the date on which the current license expires;

29                                   2. the date by which the Board must receive the renewal  
30 application for the renewal to be issued and mailed before the license expires; and

31                                   3. the amount of the renewal fee.

32                  (2) The failure of a licensee to receive the notice for which this subsection  
33 provides does not prevent the license from expiring as specified under subsection (a) of  
34 this section.

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1 (c) Before a license expires, the licensee periodically may renew it for an  
2 additional 2-year term, if the licensee:

3 (1) otherwise is entitled to be licensed;

4 (2) pays to the Board a renewal fee of:

5 (i) \$150 for a license to practice land surveying; or

6 (ii) \$100 for a license to practice property line surveying; and

7 (3) submits to the Board a renewal application on the form that the Board  
8 provides.

9 (d) (1) The Board shall renew the license of and issue a renewal certificate to  
10 each licensee who meets the requirements of this section.

11 (2) The Board shall include on each renewal certificate that the Board  
12 issues:

13 (i) the date on which the current license expires; and

14 (ii) the signatures of the chairman and secretary of the Board, under  
15 seal of the Board.

16 (E) THE SECRETARY MAY DETERMINE THAT LICENSES ISSUED UNDER THIS  
17 SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

18 **Article - Business Regulation**

19 9A-309.

20 (a) Unless the license is renewed for a 2-year term as provided in this section, a  
21 license expires on the first October 1 that comes:

22 (1) after the effective date of the license; and

23 (2) in an odd-numbered year.

24 (b) Before the license expires, the licensee may renew it for an additional 2-year  
25 term, if the licensee:

26 (1) otherwise is entitled to be granted a license;

27 (2) pays to the Board a renewal fee established by the Board; and

28 (3) submits:

29 (i) proof of insurance as provided by § 9A-402 of this title; and

30 (ii) a renewal application in the form that the Board provides.

31 (c) The Board shall renew the license of and issue a renewal certificate to each  
32 licensee who meets the requirements of this section.

33 (d) (1) At the time of renewal, a licensee who holds a valid heating, ventilation,  
34 air-conditioning, and refrigeration contractor license may apply to the Board for inactive

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1 status, during which time the licensee may not provide heating, ventilation,  
2 air-conditioning, or refrigeration services in the State.

3 (2) If an individual wishes to renew a license on inactive status, the  
4 individual shall meet the requirements of items (b)(1), (b)(2), and (b)(3)(ii) of this  
5 section.

6 (3) To return to active status the licensee must meet the renewal  
7 requirements of subsection (b) of this section.

8 (4) Unless a licensee on inactive status renews the license as provided in this  
9 section, or reactivates the license as provided in this section, the license expires on the  
10 first October 1 that comes:

11 (i) after the inactive status certificate has been issued to the licensee;  
12 and

13 (ii) in an odd-numbered year.

14 (e) (1) If application for restoration is made within 90 days of expiration of a  
15 license, the license may be restored only on payment of a renewal fee.

16 (2) If application for restoration is not made within the 90-day period, the  
17 Board may require compliance with the process for initial applications as if the applicant  
18 had never been licensed.

19 (f) Except as provided in subsection (g) of this section, a license issued under this  
20 title is not transferable.

21 (g) (1) On the death of a licensed heating, ventilation, air-conditioning, and  
22 refrigeration contractor, the personal representative of the deceased licensee may retain  
23 the license for up to 6 months for the purpose of winding up the business.

24 (2) In cases of extreme hardship, the Board may allow the personal  
25 representative to retain the license for an additional period not to exceed 24 months upon  
26 a good faith showing that the personal representative has:

27 (i) acted diligently to conclude the business of the deceased licensee;  
28 and

29 (ii) complied with the provisions of this title.

30 (H) THE SECRETARY MAY DETERMINE THAT LICENSES ISSUED UNDER THIS  
31 SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

32 12-207.

33 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
34 license expires on the first April 30 that comes:

35 (1) after the effective date of the license; and

36 (2) in an even-numbered year.

12

1 (b) At least 1 month before a license expires, the Secretary shall mail to the  
2 licensee, at the last known address of the licensee:

3 (1) a renewal application form; and

4 (2) a notice that states:

5 (i) the date on which the current license expires;

6 (ii) the date by which the Secretary must receive the renewal  
7 application for the renewal to be issued and mailed before the license expires; and

8 (iii) the amount of the renewal fee.

9 (c) Before a license expires, the licensee periodically may renew it for an  
10 additional 2-year term, if the licensee:

11 (1) submits to the Secretary a renewal application on the form that the  
12 Secretary provides;

13 (2) signs the renewal application under oath;

14 (3) updates the information submitted in the original application and states  
15 that the information is current;

16 (4) agrees to comply with each requirement applicable to the original  
17 application;

18 (5) states that the licensee:

19 (i) has not violated this title;

20 (ii) has not been convicted of an offense specified in § 12-209 of this  
21 subtitle; and

22 (iii) has not had a similar license denied, suspended, or revoked in  
23 another jurisdiction;

24 (6) otherwise is entitled to be licensed; and

25 (7) pays to the Secretary a renewal fee of \$300.

26 (d) The Secretary shall renew the license of each licensee who meets the  
27 requirements of this section.

28 (e) A license is not transferable.

29 (f) (1) A licensee may change the place of business for which a license is issued  
30 only if the licensee:

31 (i) submits to the Secretary an application to transfer the license to a  
32 new business location on a form that the Secretary provides; and

33 (ii) receives the written approval of the Secretary.

13

1 (2) Within 45 days after the written notice is filed with the Secretary, the  
2 Secretary shall approve or disapprove the application and notify the licensee of the  
3 approval or disapproval, in writing.

4 (3) If the Secretary approves a proposed change of place of business, the  
5 licensee shall:

6 (i) submit to the Secretary a current list of names of each employee to  
7 be employed at the new location; and

8 (ii) attach the written approval of the Secretary to the license until an  
9 amended license is received by the licensee.

10 (G) THE SECRETARY MAY DETERMINE THAT LICENSES ISSUED UNDER THIS  
11 SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.

12 **Article 4 - Baltimore City**

13 4-2.

14 The Board has general supervision of all stationary engineers within the State,  
15 except as hereinafter provided. The Board shall examine all engineers who are 18 years  
16 old or older and apply for examination and shall give all parties so examined a certificate  
17 of proficiency if found proficient, and refuse to give a certificate if not found proficient.  
18 Each person applying for the examination shall pay an application fee set by the Board,  
19 which may not exceed the cost of administering the required examination. Each person  
20 receiving the certificate shall pay to the Board \$15 for the certificate issued and \$30 for all  
21 renewals of all grades. The certificate shall be of four grades: a certificate of the first  
22 grade will permit the holder to take charge of any plant of machinery; the second grade to  
23 take charge of any plant machinery from one to five hundred horse-power; the third  
24 grade to take charge of any plant of machinery from one to thirty horse-power; and the  
25 fourth grade to take charge of any hoisting or portable plant of machinery. The certificate  
26 shall be renewed biennially on or before the first day of February of each odd-numbered  
27 year, UNLESS THE SECRETARY OF LABOR, LICENSING, AND REGULATION  
28 DETERMINES THAT THE CERTIFICATES SHALL BE RENEWED ON A STAGGERED  
29 BASIS. An engineer holding a certificate may not have charge of more than one plant of  
30 machinery at the same time unless the plant is of the same company and at one and the  
31 same place. A substitute who has not been examined and received a certificate may not be  
32 placed in charge of machinery by any engineer who has.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 October 1, 1997.