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

Introduced and read first time: January 23, 1998

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 1998

CHAPTER _____

1 AN ACT concerning

2 **Department of Labor, Licensing, and Regulation - Occupational and**
3 **Professional Licensing Boards - Examinations and Fees**

4 FOR the purpose of clarifying the authority of certain boards and commissions to
5 contract for certain testing services; altering certain terminology related to
6 certain fees; authorizing the direct payments of certain examination fees to the
7 designees of certain boards or commissions; providing for payment to the Real
8 Estate Commission and the Home Improvement Commission the costs of a
9 credit report; clarifying the authority of the Real Estate Commission to require
10 a credit report for the issuance and the renewal of a broker's license and the
11 authority of the Home Improvement Commission to require a credit report for
12 renewal of a contractor's license; and generally relating to the contracting for
13 testing services and collection of examination and credit report fees.

14 BY repealing and reenacting, with amendments,
15 Article - Business Occupations and Professions
16 Section 2-304, 2-307(c) 3-304, 3-305, 4-206(a), 4-302, 4-303, 4-304, 4-305,
17 4-306, 4-307, 5-306, 5-307, 6-205, 6-305, 6-306, 6-307, 6-308, 9-304,
18 9-305, 9-306, 12-303, 12-304, 14-306, 14-307, 14-309, 14-310, 15-306,
19 15-307, 15-309, 16-302(e), 16-304, 16-503(c), 16-506, 17-307, and
20 17-314
21 Annotated Code of Maryland
22 (1995 Replacement Volume and 1997 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article - Business Occupations and Professions

1 Section 5-205(b)
 2 Annotated Code of Maryland
 3 (1995 Replacement Volume and 1997 Supplement)
 4 (As enacted by Chapter 735 of the Acts of the General Assembly of 1997)

5 BY adding to
 6 Article - Business Occupations and Professions
 7 Section 3-305.1, 4-304.1, 5-307.1, 6-306.1, 9-305.1, 12-304.1, 14-307.1,
 8 15-307.1, 16-304.1, and 16-506.1
 9 Annotated Code of Maryland
 10 (1995 Replacement Volume and 1997 Supplement)

11 BY repealing and reenacting, with amendments,
 12 Article - Business Regulation
 13 Section 8-302, 8-303, 8-308, ~~and~~ 9A-303, 9A-304 and 9A-305
 14 Annotated Code of Maryland
 15 (1992 Volume and 1997 Supplement)

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

18 **Article - Business Occupations and Professions**

19 2-304.

20 An applicant for a license shall:

21 (1) submit to the Board an application on the form that the Board
 22 provides; and

23 (2) pay to the Board OR THE BOARD'S DESIGNEE an [application]
 24 EXAMINATION fee ~~+~~set by the Board [not to exceed the cost of administering] IN AN
 25 AMOUNT ~~COVERING~~ NOT TO EXCEED THE COST OF the required examination [to the
 26 applicant].

27 2-307.

28 (c) (1) An applicant for reexamination shall:

29 (i) submit to the Board an application for reexamination on the
 30 form that the Board provides; and

31 (ii) pay to the Board OR THE BOARD'S DESIGNEE a reexamination
 32 fee set under this subsection.

33 (2) The Board shall set fees for reexamination so that:

1 (i) the fee for reexamination on the entire examination does not
2 exceed the cost of [administering] the required reexamination [to the applicant];
3 and

4 (ii) the fee for reexamination on less than the entire examination is
5 less than the fee set for the entire examination.

6 3-304.

7 An applicant for a license SHALL:

8 (1) [shall] submit to the Board an application on the form that the
9 Board provides; and

10 (2) except as provided in § 3-306(b) or (c) of this subtitle, [shall] pay to
11 the Board OR THE BOARD'S DESIGNEE an [application] EXAMINATION fee ~~—~~ set by
12 the Board [to approximate the cost of administering] IN AN AMOUNT ~~COVERING~~
13 NOT TO EXCEED THE COST OF the required examination [to the applicant].

14 3-305.

15 (a) [An] EXCEPT AS OTHERWISE PROVIDED IN § 3-305.1 OF THIS SUBTITLE,
16 AN applicant who otherwise qualifies for a license is entitled to be examined as
17 provided in this section.

18 (b) The Board shall give examinations to QUALIFIED applicants at least once a
19 year at the time and place that the Board determines.

20 (c) The Board shall give each qualified applicant notice of the time and place
21 of examination.

22 (d) (1) The Board shall determine the subjects, scope, and form of and the
23 passing score for examinations given under this title.

24 (2) The Board may adopt an examination or a recommended grading
25 procedure of the Council or any similar organization.

26 3-305.1.

27 (A) THE BOARD MAY USE A TESTING SERVICE TO ADMINISTER EXAMINATIONS
28 GIVEN UNDER THIS TITLE.

29 (B) IF THE BOARD USES A TESTING SERVICE, THE TESTING SERVICE, SUBJECT
30 TO THE REQUIREMENTS SET BY THE BOARD, MAY:

31 (1) SET THE TIME AND PLACE OF EXAMINATIONS;

32 (2) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE OF
33 EXAMINATIONS; AND

1 (3) FURNISH ANY OTHER INFORMATION THAT THE BOARD MAY
2 REQUIRE THE TESTING SERVICE TO PROVIDE.

3 4-206.

4 (a) (1) In addition to any powers set forth elsewhere, the Board may adopt
5 any regulation to carry out this title.

6 (2) (i) The Board shall establish reasonable fees for EXAMINATIONS,
7 licensing, licensing renewal, reinstatement, certification, applications, preopening
8 inspections, per diem fees for Board members, compensation for inspectors appointed
9 by the Board, and any other service performed by the Board necessary to carry out the
10 provisions of this title.

11 (ii) [The] EXCEPT FOR EXAMINATION FEES WHICH THE BOARD
12 SHALL ESTABLISH IN AMOUNTS NOT TO EXCEED THE COSTS OF THE REQUIRED
13 EXAMINATIONS, THE fees established by the Board shall be set in a manner that will
14 produce funds sufficient to cover the actual direct and indirect costs of regulating the
15 barber industry in this State in accordance with the provisions of this title.

16 (iii) The total cost of regulating the barber industry in this State in
17 accordance with the provisions of this title may not be more than the revenues
18 generated by the fees established under subparagraph (i) of this paragraph.

19 4-302.

20 (a) To qualify for a license to practice barbering, an applicant shall be an
21 individual who meets the requirements of this section.

22 (b) (1) An applicant for a barber license shall have completed successfully:

23 (i) a required program of at least 1,200 hours of training in a
24 barber school that is approved by the State Department of Education or the Maryland
25 Higher Education Commission, in consultation with the Board; or

26 (ii) an apprenticeship of at least 2,250 hours within 2 years in a
27 barbershop that holds a barbershop permit under the supervision of a master barber.

28 (2) If the applicant for a barber license is an individual trained and
29 currently licensed as a cosmetologist in the State, the Board shall:

30 (i) credit the applicant with having met one-half of the training
31 requirement of paragraph (1) of this subsection; and

32 (ii) determine the manner in which the credit will be applied.

33 (c) An applicant for a master barber license shall have at least 15 months of
34 experience as a barber.

1 (d) (1) Except as otherwise provided in this subtitle, an applicant for a
2 master barber license shall pass an examination given by the Board OR THE BOARD'S
3 DESIGNEE under this subtitle.

4 (2) Except as otherwise provided in this subtitle, an applicant for a
5 barber license shall pass an examination given by the Board OR THE BOARD'S
6 DESIGNEE under this subtitle.

7 4-303.

8 An applicant for a license shall:

9 (1) submit to the Board an application on the form that the Board
10 provides; and

11 (2) pay to the Board an [application] EXAMINATION fee established by
12 the Board ~~in accordance with § 4-206 of this title~~ IN AN AMOUNT NOT TO EXCEED
13 THE COST OF THE REQUIRED EXAMINATION.

4-304.

14 (a) [An applicant who otherwise qualifies for a license] EXCEPT AS
15 OTHERWISE PROVIDED IN § 4-304.1 OF THIS SUBTITLE, AN APPLICANT is entitled to be
16 examined as provided in this section IF THE APPLICANT:

17 (1) OTHERWISE QUALIFIES FOR A LICENSE UNDER THIS TITLE; AND

18 (2) PAYS AN EXAMINATION FEE ~~AS~~ ESTABLISHED BY THE BOARD IN
19 ACCORDANCE WITH ~~§ 4-206~~ §§ 4-206 AND 4-303 OF THIS TITLE TO THE BOARD OR THE
20 BOARD'S DESIGNEE.

21 (b) The Board periodically shall give examinations to applicants at the times
22 and places that the Board determines.

23 (c) The Board shall give each qualified applicant notice of the time and place
24 of examination.

25 (d) (1) The Board shall determine the subjects, scope, and form of and the
26 passing score for examinations given under this subtitle.

27 (2) An examination may consist of written and practical parts.

28 (e) (1) Subject to § 2-110 of the Business Regulation Article, an applicant
29 whose primary language is not English may use a Board approved interpreter for the
30 written part of an examination, but not for the practical part of an examination.

31 (2) The passing of the practical part of an examination without an
32 interpreter demonstrates that the applicant possesses sufficient command of English
33 to understand and properly respond to an English-speaking customer.

1 (f) Subject to § 2-110 of the Business Regulation Article, in the case of an
2 applicant who demonstrates dyslexia or other reading impairment to the Board:

3 (1) the Board may grant 1 or both of the following:

4 (i) additional time to complete all or part of the examination; or

5 (ii) oral examination for all or part of the written part of the
6 examination.

7 (2) the Board shall approve for licensing an applicant who:

8 (i) passes the examination; and

9 (ii) demonstrates to the Board that the applicant's dyslexia or other
10 reading impairment, if any, does not significantly impair the applicant's ability to
11 function as a licensee.

12 (g) If an applicant fails to appear for a scheduled examination, the Board may
13 require the applicant to pay another ~~application~~ EXAMINATION fee under § 4-303 of
14 this subtitle before rescheduling an examination for the applicant.

15 4-304.1.

16 (A) THE BOARD MAY USE A TESTING SERVICE TO ADMINISTER EXAMINATIONS
17 GIVEN UNDER THIS TITLE.

18 (B) IF THE BOARD USES A TESTING SERVICE, THE TESTING SERVICE, SUBJECT
19 TO THE REQUIREMENTS SET BY THE BOARD, MAY:

20 (1) SET THE TIME AND PLACE OF EXAMINATIONS;

21 (2) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE OF
22 EXAMINATIONS; AND

23 (3) FURNISH ANY OTHER INFORMATION THAT THE BOARD MAY
24 REQUIRE THE TESTING SERVICE TO PROVIDE.

25 (C) THE BOARD OR THE BOARD'S DESIGNEES SHALL MAIL TO EACH
26 APPLICANT NOTICE OF THE APPLICANT'S EXAMINATION RESULTS.

27 4-305.

28 (a) Subject to the provisions of this section and of § 4-306 of this subtitle, the
29 Board may waive any requirement of this subtitle for an individual who is licensed to
30 practice barbering in another state.

31 (b) The Board may grant a waiver under this section only if the applicant:

32 (1) pays the [application] EXAMINATION fee required under § 4-303 of
33 this subtitle;

1 (2) provides adequate evidence that the applicant has been licensed as a
2 barber or master barber, whichever is applicable, in another state for at least the 6
3 months immediately preceding the filing of the application; and

4 (3) passes the applicable examination.

5 4-306.

6 (a) Subject to the provisions of this section, the Board may waive any
7 examination requirement of this subtitle for an applicant for a master barber or a
8 barber license who is licensed to practice barbering in another state.

9 (b) The Board may grant a waiver under this section only if:

10 (1) the applicant pays the application FEE SET BY THE BOARD UNDER §
11 4-206 AND ANY APPLICABLE EXAMINATION fee required under § 4-303 of this subtitle
12 FOR ANY EXAMINATION REQUIREMENT THAT IS NOT WAIVED BY THE BOARD;

13 (2) the applicant provides adequate evidence that the applicant:

14 (i) meets the qualifications otherwise required by this subtitle; and

15 (ii) became licensed in the other state after passing, in that or any
16 other state, an examination that is similar to the examination for which the applicant
17 is seeking the waiver;

18 (3) the applicant practiced barbering in the other state as a master
19 barber or barber during the 2 years immediately before applying in this State;

20 (4) the applicant provides:

21 (i) a notarized statement from a previous employer certifying that
22 the applicant has the experience required under item (3) of this subsection; or

23 (ii) if the applicant was self-employed, other proof that is
24 acceptable to the Board;

25 (5) the applicant submits a letter from the licensing board of the other
26 state certifying that the applicant is in good standing with the board of the other
27 state;

28 (6) the applicant certifies in writing that the applicant has read,
29 understands, and will comply with the provisions of this title and the regulations of
30 the Board.

31 4-307.

32 (a) Subject to the provisions of this section, the Board may waive the written
33 part of the master barber or barber examination for an individual who is licensed to
34 practice barbering in a foreign country.

1 (b) Subject to subsection (c) of this section, the Board may grant a waiver
2 under this section only if the applicant:

3 (1) pays the [application fee required under § 4-303 of this subtitle]
4 EXAMINATION FEE REQUIRED UNDER § 4-303 OF THIS SUBTITLE THAT IS
5 ATTRIBUTABLE TO THE PRACTICAL PART OF THE EXAMINATION;

6 (2) passes the practical part of the master barber or barber examination
7 given by the Board; and

8 (3) provides adequate evidence that, at the time the applicant was
9 licensed in the foreign country, the applicant was required to pass an examination
10 and meet qualifications that were substantially equivalent to those then required by
11 the laws of this State.

12 (c) To meet a minimum standard of training, the Board may require an
13 applicant licensed to practice barbering in a foreign country to complete successfully
14 a required program of training in the practice of barbering not exceeding 1,200 hours.
15 5-205.

16 (b) (1) Subject to paragraph (4) of this subsection, the Board shall establish
17 reasonable fees for EXAMINATIONS, reinstatements, certifications, applications,
18 preopening inspections, per diem fees for Board members, compensation for
19 inspectors appointed by the Board, and for any other service performed by the Board
20 necessary to carry out the provisions of this title.

21 (2) [The] EXCEPT FOR THE EXAMINATION FEES WHICH THE BOARD
22 SHALL ESTABLISH IN AMOUNTS NOT TO EXCEED THE COSTS OF THE EXAMINATIONS,
23 THE fees established by the Board shall be set in a manner that will produce funds
24 sufficient to cover the actual direct and indirect costs of regulating the cosmetology
25 industry in the State in accordance with the provisions of this title.

26 (3) The total cost of regulating the cosmetology industry in the State in
27 accordance with the provisions of this title may not be more than the revenues
28 generated by the fees established under paragraph (1) of this subsection.

29 (4) The Board shall require a \$25 fee for the licensure or renewal of
30 licensure of cosmetologists, senior cosmetologists, estheticians, manicurists, and
31 makeup artists.

32 5-306.

33 (a) An applicant for a license:

34 (1) shall submit to the Board an application on the form that the Board
35 provides; and

36 (2) except as provided in § 5-308 of this subtitle, shall pay to the Board
37 OR THE BOARD'S DESIGNEE the appropriate [application] EXAMINATION fee

1 established by the Board in accordance with § 5-205 of this title IN AN AMOUNT NOT
 2 TO EXCEED THE COST OF THE REQUIRED EXAMINATION.

3 (b) In addition to the other requirements of this section, an applicant for a
 4 license to provide makeup artist services shall submit to the Board credentials that
 5 certify sufficient training.

6 5-307.

7 (a) [An applicant who otherwise qualifies for a license] EXCEPT AS
 8 OTHERWISE PROVIDED IN § 5-307.1 OF THIS SUBTITLE, AN APPLICANT is entitled to be
 9 examined as provided in this section IF THE APPLICANT:

10 (1) OTHERWISE QUALIFIES FOR A LICENSE UNDER THIS TITLE; AND

11 (2) PAYS AN EXAMINATION FEE, AS ESTABLISHED BY THE BOARD IN
 12 ACCORDANCE WITH ~~§ 5-205~~ §§ 5-205 AND 5-306 OF THIS TITLE, TO THE BOARD OR THE
 13 BOARD'S DESIGNEE.

14 ~~(b) (1) [The Board may employ examiners to give examinations to~~
 15 ~~applicants and designate an examiner to give the written or practical parts of the~~
 16 ~~examination or both.~~

17 ~~(2) Subject to the State budget, each examiner is entitled to reasonable~~
 18 ~~compensation set by the Board for each day on which the examiner is engaged in the~~
 19 ~~duties of the employment.~~

20 ~~(c) (B)~~ (B) The Board periodically shall give examinations to applicants at the
 21 times and places that the Board determines.

22 ~~(d) (C)~~ (C) The Board shall give each qualified applicant notice of the time and
 23 place of examination.

24 ~~(e) (D) (1) †~~ (D) (1) † The Board shall determine the subjects, scope, and form of and
 25 the passing score for examinations given under this subtitle.

26 (2) An examination may consist of written and practical parts.

27 ~~[(f) (E)]~~ (E) The Board OR THE BOARD'S DESIGNEE shall mail to each
 28 applicant notice of the applicant's examination result.

29 5-307.1.

30 (A) THE BOARD MAY USE A TESTING SERVICE TO ADMINISTER THE
 31 EXAMINATIONS REQUIRED FOR LICENSURE.

32 (B) IF THE BOARD USES A TESTING SERVICE, THE TESTING SERVICE, SUBJECT
 33 TO THE REQUIREMENTS SET BY THE BOARD, MAY:

34 (1) SET THE TIME AND PLACE OF EXAMINATIONS;

1 (2) PROVIDE NOTICE OF THE TIME AND PLACE OF AN EXAMINATION TO
2 AN APPLICANT; AND

3 (3) FURNISH ANY OTHER INFORMATION THAT THE BOARD MAY
4 REQUIRE THE TESTING SERVICE TO PROVIDE.

5 6-205.

6 In addition to any powers and duties set forth elsewhere, the State Board shall:

7 (1) twice a year hold a seminar and invite members from each local
8 licensing jurisdiction to discuss any industry or licensing problems; and

9 (2) adopt regulations to establish:

10 (I) application AND EXAMINATION fees; and

11 (II) APPLICATION deadlines.

12 6-305.

13 An applicant for a State license shall:

14 (1) submit to the State Board an application on the form that the State
15 Board provides; and

16 (2) pay to the State Board OR THE STATE BOARD'S DESIGNEE an
17 [application] EXAMINATION fee ~~+~~ set by the Board [not to exceed the cost of
18 administering] IN AN AMOUNT COVERING NOT TO EXCEED THE COST OF the required
19 examination [to the applicant].

20 6-306.

21 (a) [An] EXCEPT AS OTHERWISE PROVIDED IN § 6-306.1 OF THIS SUBTITLE,
22 AN applicant who otherwise qualifies for a State license is entitled to be examined as
23 provided in this section.

24 (b) The State Board shall give examinations to QUALIFIED applicants at least
25 twice a year, at the dates, times, and places that the State Board determines.

26 (c) (1) At least 15 days before the examination, the State Board shall notify
27 each applicant whether the applicant is eligible to be examined under this section.

28 (2) The notice shall specify the passing score for the examination.

29 (d) (1) The State Board shall determine the subjects and scope of the
30 examination from a list of questions submitted by the Maryland Uniform Electrical
31 Licensing Examination Committee, Inc.

32 (2) The State Board shall choose examination questions that:

1 (i) test the applicant's knowledge of all applicable codes, laws, or
2 principles of electrical installation; and

3 (ii) are constructed to determine the fitness of the applicant for a
4 State license.

5 (3) The State Board may appoint a committee to develop examination
6 questions.

7 (e) The form of the examination shall be objective and written.

8 (f) The passing score for the examination shall be 70%.

9 (g) Within 45 days after the examination, the State Board shall mail to each
10 applicant notice of the applicant's examination score.

11 (h) On written request to the State Board, an applicant who failed an
12 examination may review the answers that the applicant gave and the scores for those
13 answers, at a time and place that the State Board determines.

14 (i) (1) If an applicant fails to appear for a scheduled examination, the
15 applicant may reapply for an examination.

16 (2) The applicant:

17 (i) shall submit to the State Board an application for
18 reexamination on the form that the State Board provides; and

19 (ii) unless, for good cause, the State Board waives payment of the
20 [application] EXAMINATION fee, shall again pay the [application] EXAMINATION fee
21 under § 6-305 of this subtitle.

22 6-306.1.

23 (A) THE STATE BOARD MAY USE A TESTING SERVICE TO ADMINISTER THE
24 EXAMINATIONS GIVEN UNDER THIS TITLE.

25 (B) IF THE STATE BOARD USES A TESTING SERVICE, THE TESTING SERVICE,
26 SUBJECT TO THE REQUIREMENTS SET BY THE STATE BOARD, MAY:

27 (1) SET THE TIME AND PLACE OF EXAMINATIONS;

28 (2) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE OF
29 EXAMINATIONS; AND

30 (3) FURNISH ANY OTHER INFORMATION THAT THE STATE BOARD MAY
31 REQUIRE THE TESTING SERVICE TO PROVIDE.

1 6-307.

2 (a) Subject to the limitations in this section, the State Board shall waive the
3 examination requirements of this subtitle for an individual who holds a local license.

4 (b) The State Board shall grant a waiver under this section only if the
5 applicant:

6 (1) pays the application fee [required by § 6-305 of this subtitle]
7 ESTABLISHED BY THE BOARD UNDER § 6-205 OF THIS TITLE;

8 (2) provides adequate evidence that the applicant:

9 (i) meets the qualifications otherwise required by this subtitle; and

10 (ii) is licensed in a local jurisdiction after:

11 1. passing, in that local jurisdiction, an examination that is
12 equivalent to the examination for which the applicant is seeking the waiver; and

13 2. meeting, in that local jurisdiction, requirements that are
14 equivalent to the licensing requirements of this subtitle; and

15 (3) submits a statement from the local jurisdiction certifying:

16 (i) the applicant is in good standing with the local jurisdiction;

17 (ii) the applicant obtained the local license by taking an
18 examination equivalent to the examination given by the State Board; and

19 (iii) the date of the local examination.

20 (c) An initial State license that is obtained under this section may not be
21 reinstated unless the requirements of § 6-312 of this subtitle are met.

22 6-308.

23 (a) Subject to the limitations in this section, on the affirmative vote of at least
24 a majority of the authorized membership of the State Board, the State Board may
25 wave the examination requirements of this subtitle for an individual who is licensed
26 to provide electrical services as a master electrician in another state.

27 (b) The State Board may grant a waiver under this section only if the
28 applicant:

29 (1) pays the appropriate application fee [required by § 6-305 of this
30 subtitle] SET BY THE BOARD UNDER § 6-205(2) OF THIS TITLE; and

31 (2) provides adequate evidence that the applicant:

32 (i) meets the qualifications otherwise required by this subtitle;

- 1 (ii) holds an active license in good standing in the other state;
2 (iii) holds a license that is equivalent to the State license; and
3 (iv) meets a 7-year experience requirement in providing electrical
4 services, at least 4 years of which must have been gained prior to licensure in the
5 other state, while under the supervision of a master electrician or similarly qualified
6 employee of a governmental unit.

7 (c) The State Board may grant a waiver only if the state in which the
8 applicant is licensed waives the examination of licensees of this State to a similar
9 extent as this State waives the examination requirements for individuals licensed in
10 that state.

11 (d) The Board may allow an applicant up to 3 years credit toward the
12 experience required under subsection (b)(2) of this section, if the State Board
13 determines that the applicant has completed a formal course of study or professional
14 training in electrical installation comparable to the required experience.

15 9-304.

16 An applicant for a license shall:

17 (1) submit to the Board an application on the form that the Board
18 provides; and

19 (2) EXCEPT AS PROVIDED IN § 9-306 OF THIS SUBTITLE, pay to the Board
20 OR THE BOARD'S DESIGNEE an [application] EXAMINATION fee ~~set by the Board~~
21 IN AN AMOUNT COVERING NOT TO EXCEED THE COST OF the required examination
22 THE REQUIRED EXAMINATION.

23 9-305.

24 (a) [An] EXCEPT AS OTHERWISE PROVIDED IN § 9-305.1 OF THIS SUBTITLE,
25 AN applicant who otherwise qualifies for a license is entitled to be examined as
26 provided in this section.

27 (b) The Board shall give written examinations to QUALIFIED applicants at
28 least once a year at the time and place that the Board determines.

29 (c) The Board shall give each qualified applicant notice of the time and place
30 of examination.

31 (d) (1) The Board shall determine, by regulation, the subjects, scope, and
32 form of and the passing score for examinations given under this title.

33 (2) The Board shall structure the examination to test the competency of
34 an applicant to plan, design, and supervise the installation of landscape projects.

35 (3) The Board may supplement a written examination given under this
36 section with an oral examination.

1 9-305.1.

2 (A) THE BOARD MAY USE A TESTING SERVICE TO ADMINISTER THE
3 EXAMINATIONS GIVEN UNDER THIS TITLE.

4 (B) IF THE BOARD USES A TESTING SERVICE UNDER THIS SUBSECTION, THE
5 TESTING SERVICE, SUBJECT TO THE REQUIREMENTS SET BY THE BOARD, MAY:

6 (1) SET THE TIME AND PLACE OF EXAMINATIONS;

7 (2) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE OF
8 EXAMINATIONS; AND

9 (3) FURNISH ANY OTHER INFORMATION THAT THE BOARD MAY
10 REQUIRE THE TESTING SERVICE TO PROVIDE.

11 9-306.

12 (a) Subject to the provisions of this section, the Board may waive any
13 requirement of this subtitle for an applicant who is licensed to practice landscape
14 architecture in another state.

15 (b) The Board may grant a waiver under this section only if the applicant:

16 (1) pays the ~~[-application]-~~ EXAMINATION fee SET BY THE BOARD
17 ~~[required under § 9-304 of this subtitle]~~ NOT EXCEEDING ~~\$100~~ \$50; and

18 (2) provides adequate evidence that, at the time the applicant was
19 licensed in the other state, the applicant was required to pass an examination and
20 meet qualifications that were substantially equivalent to the examination and
21 qualifications in this State.

22 (c) The Board may grant a waiver under this section only if the state in which
23 the applicant is licensed waives the examination and qualifications of licensees of this
24 State to a similar extent as this State waives the examination and qualification
25 requirements for individuals licensed in that state.

26 12-303.

27 An applicant for a license shall:

28 (1) submit to the Board an application on the form that the Board
29 provides; and

30 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, pay to the
31 Board OR THE BOARD'S DESIGNEE an [application] EXAMINATION fee:

32 (i) for a master plumber license or a journey plumber license, IN an
33 amount ~~[-set by the Board, [which may not exceed the cost of administering the~~
34 ~~required examination to the applicant]~~ COVERING NOT TO EXCEED THE COST OF THE
35 REQUIRED EXAMINATION;

1 (ii) for an apprentice plumber license of \$15; or

2 (iii) for a propane gas fitter certificate of \$25.

3 12-304.

4 (a) [An] EXCEPT AS OTHERWISE PROVIDED IN § 12-304.1 OF THIS SUBTITLE,
5 AN applicant who otherwise qualifies for a license is entitled to be examined as
6 provided in this section.

7 (b) (1) Subject to paragraph (2) of this subsection, the Board shall give
8 examinations to QUALIFIED applicants at the times and places that the Board
9 determines.

10 (2) The Board shall give an examination at least once a year in
11 Baltimore City.

12 (c) The Board shall give each qualified applicant notice of the time and place
13 of examination.

14 (d) (1) The Board shall determine the subjects, scope, and form of and the
15 passing score for examinations given under this subtitle.

16 (2) The Board shall provide examination questions that test the
17 competency and qualifications of the applicant.

18 (e) (1) If an applicant fails an examination given by the Board, the Board
19 shall give the applicant notice of the right of the applicant to have the papers of the
20 applicant regraded.

21 (2) On written request to the Board, an applicant who failed an
22 examination may:

23 (i) review the examination questions and the answers given by the
24 applicant; and

25 (ii) have the examination regraded.

26 (f) If an applicant fails to appear for a scheduled examination, the Board may
27 require the applicant to pay another [application] EXAMINATION fee under § 12-303
28 of this subtitle before rescheduling an examination for the applicant.

29 12-304.1.

30 (A) THE BOARD MAY USE A TESTING SERVICE TO ADMINISTER AN
31 EXAMINATION GIVEN UNDER THIS SUBTITLE.

32 (B) IF THE BOARD USES A TESTING SERVICE, THE TESTING SERVICE, SUBJECT
33 TO THE REQUIREMENTS SET BY THE BOARD, MAY:

34 (1) SET THE TIME AND PLACE OF EXAMINATIONS;

1 (2) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE OF
2 EXAMINATIONS; AND

3 (3) FURNISH ANY OTHER INFORMATION THAT THE BOARD MAY
4 REQUIRE THE TESTING SERVICE TO PROVIDE.

5 (C) AN EXAMINATION SHALL BE GIVEN AT LEAST ONCE PER YEAR IN
6 BALTIMORE CITY.

7 14-306.

8 (a) An applicant for a license shall:

9 (1) submit to the Board:

10 (i) an application on the form that the Board provides; and

11 (ii) any relevant document that the Board requires; and

12 (2) EXCEPT AS OTHERWISE PROVIDED IN § 14-311 OF THIS SUBTITLE,
13 pay to the Board OR THE BOARD'S DESIGNEE an [application] EXAMINATION fee
14 ~~—~~set by the Board [to approximate the cost of administering] IN AN AMOUNT
15 ~~COVERING~~ NOT TO EXCEED THE COST OF the required examinations [to the
16 applicant].

17 (b) (1) The application form shall require:

18 (i) a statement about the education of the applicant;

19 (ii) a statement about the engineering experience of the applicant;

20 (iii) a list of at least 5 references, which, unless excused by the
21 Board, shall include at least 3 professional engineers who have personal knowledge of
22 the applicant's engineering experience; and

23 (iv) any other relevant information that the Board requires.

24 (2) An application shall be made under oath.

25 (c) If the Board finds that an application form and the accompanying
26 documentation do not demonstrate that the applicant meets the requirements for a
27 license under this subtitle, the Board may require the applicant to submit additional
28 information or documentation.

29 14-307.

30 (a) (1) [An] EXCEPT AS OTHERWISE PROVIDED IN § 14-307.1 OF THIS
31 SUBTITLE, AN applicant who otherwise qualifies for a license is entitled to be
32 examined as provided in this section.

1 (2) Subject to § 14-310 of this subtitle, an individual may take the
2 examination in the fundamentals of engineering before meeting other qualifications
3 for a license.

4 (b) The Board periodically shall give the examinations required under this
5 subtitle to QUALIFIED applicants at the times and places that the Board determines.

6 (c) The Board shall give each qualified applicant notice of the time and place
7 of examination.

8 (d) (1) As provided under § 14-305 of this subtitle, the Board shall give the
9 following 2 separate examinations:

10 (i) an 8-hour written examination in the fundamentals of
11 engineering; and

12 (ii) an 8-hour written examination in the principles and practice of
13 engineering.

14 (2) The Board shall determine the subjects, scope, and form of and
15 method of grading and passing scores for examinations given under this subtitle.

16 (3) The Board shall structure the examinations to test the ability of an
17 applicant to design, plan, and direct engineering works in order to ensure the safety
18 of life, health, and property.

19 14-307.1.

20 (A) THE BOARD MAY USE A TESTING SERVICE TO ADMINISTER THE
21 EXAMINATIONS REQUIRED UNDER THIS SUBTITLE.

22 (B) IF THE BOARD USES A TESTING SERVICE, THE TESTING SERVICE, SUBJECT
23 TO THE REQUIREMENTS SET BY THE BOARD, MAY:

24 (1) SET THE TIME AND PLACE OF EXAMINATIONS;

25 (2) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE OF
26 EXAMINATIONS; AND

27 (3) FURNISH ANY OTHER INFORMATION THAT THE BOARD MAY
28 REQUIRE THE TESTING SERVICE TO PROVIDE.

29 14-309.

30 (a) Subject to this section, if an applicant fails an examination given under
31 this subtitle, the applicant may retake the examination.

32 (b) Except as provided in subsection (c) of this section, an applicant for
33 reexamination shall:

1 (1) submit to the Board a request for reexamination on the form that the
2 Board provides; and

3 (2) pay to the Board OR THE BOARD'S DESIGNEE the reexamination fee
4 set by the Board [to reflect the cost of reexamination] IN AN AMOUNT NOT TO
5 EXCEED THE COST OF THE EXAMINATION.

6 (c) An applicant who fails 2 reexaminations given under this section may take
7 the examination again only on a new application for a license that is submitted to the
8 Board at least 2 years after the applicant last failed a reexamination.

9 (d) A reexamination fee paid [to the Board] under subsection (b)(2) of this
10 section is not refundable.

11 14-310.

12 (a) Subject to this section, an individual may apply to the Board to take the
13 examination in the fundamentals of engineering given by the Board under this
14 subtitle, before the individual completes the requirements set forth in § 14-305(b)
15 and (c) of this subtitle.

16 (b) To take the fundamentals of engineering examination early:

17 (1) the applicant shall be in the process of completing a curriculum at a
18 college or university, as required under § 14-305(b) or (c) of this subtitle, and the
19 college or university shall provide to the Board evidence that the college or university
20 expects the applicant to complete the curriculum within 6 months after the next
21 scheduled administration of the fundamentals of engineering examination; or

22 (2) the applicant shall have been graduated from a college or university
23 on completion of a curriculum, as required under § 14-305(b) or (c) of this subtitle.

24 (c) (1) An applicant for early examination shall:

25 (i) submit to the Board an application on the form that the Board
26 provides; and

27 (ii) pay to the Board OR THE BOARD'S DESIGNEE an [application]
28 EXAMINATION fee set by the Board [to approximate the cost of administering the
29 examination] IN AN AMOUNT NOT TO EXCEED THE COST OF THE EXAMINATION.

30 (2) The procedures and requirements for the application shall be the
31 same as provided under § 14-306 of this subtitle for applications for licenses.

32 (d) An applicant who meets the requirements of this section is entitled to take
33 the fundamentals of engineering examination.

34 (e) If an individual passes a fundamentals of engineering examination under
35 this section and pays the Board a certification fee of \$15, the Board shall:

36 (1) keep a record that the individual passed the examination; and

1 (2) issue to the individual a certificate that states that the individual is
 2 an engineer-in-training because the individual has passed the examination and that
 3 sets forth:

- 4 (i) the full name of the individual;
- 5 (ii) a certificate number assigned by the Board to the individual;
 6 and
- 7 (iii) the signatures of the chairman and secretary of the Board,
 8 under seal of the Board.

9 (f) If an individual takes and fails a fundamentals of engineering examination
 10 under this section, the individual shall have the same rights regarding notice, review
 11 procedures, and reexamination provided to an applicant under §§ 14-308 and 14-309
 12 of this subtitle.

13 15-306.

14 (a) An applicant for a license shall:

- 15 (1) submit to the Board:
- 16 (i) an application on the form that the Board provides; and
- 17 (ii) any relevant document that the Board requires; and

18 (2) EXCEPT AS OTHERWISE PROVIDED IN § 15-311(B) OF THIS SUBTITLE,
 19 pay to the Board OR THE BOARD'S DESIGNEE an [application] EXAMINATION fee ~~+~~set
 20 by the Board [not to exceed the cost of administering] IN AN AMOUNT COVERING
 21 NOT TO EXCEED THE COST OF the required examination [to the applicant].

22 (b) (1) The application form shall require:

- 23 (i) a statement about the education of the applicant;
- 24 (ii) a statement about the experience of the applicant in land or
 25 property line surveying;
- 26 (iii) a list of at least 5 references that, unless excused by the Board,
 27 shall include:
- 28 1. for a land surveyor applicant, at least 3 professional land
 29 surveyors who have personal knowledge of the applicant's land surveying experience;
 30 and
- 31 2. for a property line surveyor applicant, at least 3
 32 individuals, each of whom:
- 33 A. is either a professional land surveyor or a licensed
 34 property line surveyor; and

1 B. has personal knowledge of the applicant's property line
2 surveying experience; and

3 (iv) any other relevant information that the Board requires.

4 (2) An application shall be made under oath.

5 (c) If the Board finds that an application form and the accompanying
6 documentation do not demonstrate that the applicant meets the requirements for a
7 license under this subtitle, the Board may require the applicant to submit additional
8 information or documentation.

9 15-307.

10 (a) [An] EXCEPT AS OTHERWISE PROVIDED IN § 15-307.1 OF THIS SUBTITLE,
11 AN applicant who otherwise qualifies for a license is entitled to be examined as
12 provided in this section.

13 (b) The Board periodically shall give the examinations required under this
14 subtitle to QUALIFIED applicants at the times and places that the Board determines.

15 (c) The Board shall give each qualified applicant notice of the time and place
16 of examination.

17 (d) As provided for applicants for a license to practice land surveying under §
18 15-305 of this subtitle, the Board shall give the following 2 separate examinations:

19 (1) a written examination in the fundamentals of land surveying; and

20 (2) a written examination in the principles and practice of land
21 surveying.

22 (e) (1) The Board shall determine the subjects, scope, and form of and
23 method of grading and passing scores for the examinations given under this subtitle.

24 (2) The Board shall structure the examinations to test the ability of an
25 applicant to design, plan, and direct land surveying in order to ensure the safety of
26 life, health, and property.

27 15-307.1.

28 (A) THE BOARD MAY USE A TESTING SERVICE TO ADMINISTER THE
29 EXAMINATIONS GIVEN UNDER THIS TITLE.

30 (B) IF THE BOARD USES A TESTING SERVICE, THE TESTING SERVICE, SUBJECT
31 TO THE REQUIREMENTS SET BY THE BOARD, MAY:

32 (1) SET THE TIME AND PLACE OF EXAMINATIONS;

33 (2) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE OF
34 EXAMINATIONS; AND

1 (3) FURNISH ANY OTHER INFORMATION THAT THE BOARD MAY
2 REQUIRE THE TESTING SERVICE TO PROVIDE.

3 15-309.

4 (a) Subject to this section, if an applicant fails an examination given under
5 this subtitle, the applicant may retake the examination.

6 (b) Except as provided in subsection (c) of this section, an applicant for
7 reexamination shall:

8 (1) submit to the Board a request for reexamination on the form that the
9 Board provides; and

10 (2) pay to the Board [as] OR THE BOARD'S DESIGNEE a reexamination
11 fee[, the application fee] set [forth] BY THE BOARD in § 15-306(a)(2) of this subtitle.

12 (c) An applicant, for a professional land surveyor license, who fails 2
13 reexaminations given under this section may take the examination again only on a
14 new application for a license that is submitted to the Board at least 2 years after the
15 applicant last failed a reexamination.

16 (d) (1) A reexamination fee paid [to the Board] under subsection (b)(2) of
17 this section is not refundable.

18 (2) If an applicant does not take the reexamination that the applicant
19 asked to take, the Board shall credit that fee toward any reexamination that the
20 applicant later takes.

21 16-302.

22 (e) Except as otherwise provided in this subtitle, the applicant shall pass an
23 examination given by the Commission OR THE COMMISSION'S DESIGNEE under this
24 subtitle.

25 16-304.

26 (a) [An] EXCEPT AS OTHERWISE PROVIDED IN § 16-304.1 OF THIS SUBTITLE,
27 AN applicant who otherwise qualifies for a license is entitled to be examined as
28 provided in this section.

29 (b) The Commission periodically shall give examinations to QUALIFIED
30 applicants at the times and places that the Commission determines.

31 (c) The Commission shall give each qualified applicant notice of the times and
32 places that the Commission determines.

33 (d) To take an examination, an applicant shall pay an examination fee to the
34 Commission OR THE COMMISSION'S DESIGNEE in an amount ~~†~~established by the
35 Commission [not to exceed the cost of administering] ~~COVERING~~ NOT TO EXCEED
36 THE COST OF the examination.

1 (e) (1) Except as otherwise provided in this subsection, the Commission
2 shall determine the subjects, scope, form, and the passing score for examinations
3 given under this subtitle.

4 (2) The Commission shall structure the examinations for a real estate
5 appraisal license to test the knowledge of an applicant of real estate appraisal theory
6 and practice and the standards of conduct that the Commission adopts under §
7 16-208 of this title.

8 16-304.1.

9 (A) THE COMMISSION MAY USE A TESTING SERVICE TO ADMINISTER THE
10 EXAMINATIONS GIVEN UNDER THIS SUBTITLE.

11 (B) IF THE COMMISSION USES A TESTING SERVICE, THE TESTING SERVICE,
12 SUBJECT TO THE REQUIREMENTS SET BY THE COMMISSION, MAY:

13 (1) SET THE TIME AND PLACE OF EXAMINATIONS;

14 (2) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE OF
15 EXAMINATIONS; AND

16 (3) FURNISH ANY OTHER INFORMATION THAT THE COMMISSION MAY
17 REQUIRE THE TESTING SERVICE TO PROVIDE.

18 16-503.

19 (c) An applicant shall pass the examination for a certificate for residential or
20 general real estate appraisal given by the Commission OR THE COMMISSION'S
21 DESIGNEE under this subtitle.

22 16-506.

23 (a) [An] EXCEPT AS OTHERWISE PROVIDED IN § 16-506.1 OF THIS SUBTITLE,
24 AN applicant who otherwise qualifies for a certificate is entitled to be examined as
25 provided in this section.

26 (b) The Commission periodically shall give examinations to QUALIFIED
27 applicants at the times and places that the Commission determines.

28 (c) The Commission shall give each qualified applicant notice of the time and
29 place of examination.

30 (d) To take an examination, an applicant shall pay an examination fee to the
31 Commission OR THE COMMISSION'S DESIGNEE in an amount ~~to cover~~ NOT TO
32 EXCEED the cost of ~~administering~~ the examination ~~+~~ as established by the
33 Commission ~~+~~.

34 (e) (1) Except as otherwise provided in this subsection, the Commission
35 shall determine the scope and the passing score for examinations given under this
36 subtitle.

- 1 (2) The form of an examination shall be written.
- 2 (3) An examination shall test knowledge of:
- 3 (i) technical terms commonly used in real estate appraising and
4 economic concepts applicable to real estate;
- 5 (ii) real estate appraisal theory and practice and real estate
6 appraisal process;
- 7 (iii) standards for the development and communication of real
8 estate appraisals;
- 9 (iv) standards of conduct that the Commission adopts under §
10 16-208 of this title;
- 11 (v) theories of depreciation, cost estimating, methods of
12 capitalization, the mathematics of real estate appraisal, and other principles that are
13 appropriate for the certificate for which the applicant applies;
- 14 (vi) basic real estate law; and
- 15 (vii) misconduct for which disciplinary proceedings may be started
16 against a certified real estate appraiser for residential real estate or a certified real
17 estate appraiser for general real estate.

18 16-506.1.

19 (A) THE COMMISSION MAY USE A TESTING SERVICE TO ADMINISTER THE
20 EXAMINATIONS GIVEN UNDER THIS SUBTITLE.

21 (B) IF THE COMMISSION USES A TESTING SERVICE, THE TESTING SERVICE,
22 SUBJECT TO THE REQUIREMENTS SET BY THE COMMISSION, MAY:

- 23 (1) SET THE TIME AND PLACE OF EXAMINATIONS;
- 24 (2) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE OF
25 EXAMINATIONS; AND
- 26 (3) FURNISH ANY OTHER INFORMATION THAT THE COMMISSION MAY
27 REQUIRE THE TESTING SERVICE TO PROVIDE.

28 17-307.

29 (A) An applicant for a license:

- 30 (1) shall submit to the Commission an application on the form that the
31 Commission provides;
- 32 (2) if a testing service was used to administer the examination, shall
33 submit to the Commission a copy of the examination results of the applicant;

1 (3) shall pay into the Guaranty Fund any fee required under § 17-403 of
2 this title;

3 (4) shall pay to the Commission an application fee of:

4 (i) \$95 for a real estate broker license;

5 (ii) \$65 for an associate real estate broker license; or

6 (iii) \$45 for a real estate salesperson license; AND

7 (5) SHALL SUBMIT TO THE COMMISSION ANY ADDITIONAL
8 INFORMATION OR DOCUMENTATION THAT THE COMMISSION REQUIRES, INCLUDING
9 ANY INFORMATION OR DOCUMENTATION TO DETERMINE THE PROFESSIONAL
10 COMPETENCE OR THE GOOD CHARACTER AND REPUTATION OF THE APPLICANT.

11 (B) [if] IF the applicant is applying for a real estate broker license, THE
12 APPLICANT:

13 (1) shall have submitted to the Commission, by a credit reporting agency
14 approved by the Commission, a credit report that contains the information required
15 by the Commission; OR

16 (2) SHALL HAVE PAID TO THE COMMISSION OR THE COMMISSION'S
17 DESIGNEE A CREDIT REPORT FEE IN AN AMOUNT ~~COVERING~~ NOT TO EXCEED THE
18 COST CHARGED BY A CREDIT REPORTING AGENCY APPROVED BY THE COMMISSION
19 TO OBTAIN A CREDIT REPORT THAT CONTAINS THE INFORMATION REQUIRED BY THE
20 COMMISSION.

21 [(6)] (C) [if] IF the applicant is applying for a real estate salesperson or
22 associate real estate broker license, THE APPLICANT shall submit to the Commission
23 adequate evidence that the applicant has obtained, from a licensed real estate broker,
24 a commitment providing that the applicant shall become affiliated with the licensed
25 real estate broker as a real estate salesperson or an associate real estate broker on
26 the granting of a real estate salesperson license or an associate real estate broker
27 license to the applicant.

28 [(7)] (D) [if] IF the applicant currently is licensed as a real estate
29 salesperson or an associate real estate broker, THE APPLICANT shall submit to the
30 Commission a copy of the written notice required under § 17-313 of this subtitle
31 informing each real estate broker with whom the applicant currently is affiliated that
32 the applicant intends to affiliate with an additional real estate broker or to obtain a
33 real estate broker license.

34 [(8)] (E) [if] IF the applicant is not a resident of this State, THE
35 APPLICANT shall submit to the Commission a consent and any related document
36 required under § 17-514 of this title[; and].

37 [(9)] shall submit to the Commission any additional information or
38 documentation that the Commission requires, including any information or

1 documentation to determine the professional competence or the good character and
2 reputation of the applicant.]

3 17-314.

4 (a) Except as provided in subsection (c) of this section, unless a real estate
5 broker license is renewed for a 2-year term as provided in this section, the license
6 expires on the first March 1 that comes:

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

8 (2) in an even-numbered year.

9 (b) Except as provided in subsection (c) of this section, unless an associate real
10 estate broker or real estate salesperson license is renewed for a 2-year term as
11 provided in this section, the license expires on the first April 30 that comes:

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

13 (2) in an even-numbered year.

14 (c) The Secretary may determine that licenses issued under this title shall
15 expire on a staggered basis.

16 (d) (1) At least 1 month before a license expires, the Commission shall mail
17 to the licensee, as provided in paragraph (2) of this subsection:

18 (i) a renewal application form; and

19 (ii) a notice that states:

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

21 2. the date by which the Commission must receive the
22 renewal application for the renewal to be issued and mailed before the license expires;
23 and

24 3. the amount of the renewal fee.

25 (2) (i) If the licensee is a real estate broker, the Commission shall mail
26 the renewal application form and notice to the principal office of the broker.

27 (ii) If the licensee is an associate real estate broker or a real estate
28 salesperson, the Commission shall mail the renewal application form and notice to
29 the principal office of the real estate broker with whom the licensee is affiliated.

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

32 (1) otherwise is entitled to be licensed;

1 (2) pays to the Commission a renewal fee of:
2 (i) \$95 for a real estate broker license;
3 (ii) \$65 for an associate real estate broker license; or
4 (iii) \$45 for a real estate salesperson license;
5 (3) submits to the Commission a renewal application on the form that
6 the Commission provides;

7 (4) submits to the Commission the original certificate of completion
8 verifying that the licensee has complied with the continuing education requirements
9 under § 17-315 of this subtitle; [and]

10 (5) notifies the Commission of the name of each real estate broker with
11 whom the licensee then is affiliated; AND

12 (6) FOR THE RENEWAL OF A REAL ESTATE BROKER LICENSE:

13 (I) SUBMITS TO THE COMMISSION, BY A CREDIT REPORTING
14 AGENCY APPROVED BY THE COMMISSION, A CREDIT REPORT THAT CONTAINS THE
15 INFORMATION REQUIRED BY THE COMMISSION; OR

16 (II) PAYS TO THE COMMISSION OR THE COMMISSION'S DESIGNEE A
17 CREDIT REPORT FEE IN AN AMOUNT COVERING NOT TO EXCEED THE COST CHARGED
18 BY A CREDIT REPORTING AGENCY APPROVED BY THE COMMISSION TO OBTAIN A
19 CREDIT REPORT THAT CONTAINS THE INFORMATION REQUIRED BY THE
20 COMMISSION FOR RENEWAL OF A REAL ESTATE BROKER LICENSE.

21 (f) The Commission shall renew the license of and issue a renewal certificate
22 and pocket card to each licensee who meets the requirements of this section.

23 (g) The Commission shall reinstate the license of a licensee under this title
24 whose license has expired if the licensee:

25 (1) applies to the Commission for reinstatement within 4 years after the
26 license expires;

27 (2) meets the requirement of good character and reputation;

28 (3) complies with the applicable continuing education requirement for
29 the period during which the individual was not licensed; and

30 (4) pays to the Commission:

31 (i) all past due renewal fees; and

32 (ii) a reinstatement fee of \$100.

Article - Business Regulation

1
2 8-302.

3 (a) An applicant for a contractor's, subcontractor's, or salesperson's license
4 must pass the examination prior to submitting an application for a license.

5 (b) An applicant may receive a license only if the applicant passes the
6 examination that the Commission requires.

7 (c) (1) To take an examination, an applicant shall pay to the Commission OR
8 A TESTING SERVICE CHOSEN BY THE COMMISSION the examination fee set by the
9 Commission to cover the cost of the examination.

10 (2) The examination fee is nonrefundable.

11 (d) (1) The Commission shall schedule the applicant for an examination to
12 be held within 45 days after the Commission receives an application for examination.

13 (2) The examination shall be held at a location:

14 (i) that is within the general geographic area where the applicant
15 resides, if the applicant resides in the State; or

16 (ii) that the Commission determines, if the applicant resides out of
17 State.

18 (e) The Commission shall give each qualified applicant notice of the time and
19 place of examination.

20 (f) (1) Except as otherwise provided in this [subsection] SECTION, the
21 Commission shall determine the subjects, scope, and form of and the passing score for
22 examinations.

23 (2) The examination shall test:

24 (i) the applicant's knowledge of the law about home improvement;
25 and

26 (ii) the applicant's competency to engage in the licensed occupation.

27 (3) The competency part of the examination may be oral or written.

28 (G) (1) THE COMMISSION MAY USE A TESTING SERVICE TO ADMINISTER
29 THE EXAMINATIONS GIVEN UNDER THIS SECTION.

30 (2) IF THE COMMISSION USES A TESTING SERVICE UNDER THIS
31 SUBSECTION, THE TESTING SERVICE, SUBJECT TO THE REQUIREMENTS SET BY THE
32 COMMISSION, MAY:

33 (I) SET THE TIME AND PLACE OF EXAMINATIONS;

1 (II) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE
2 OF EXAMINATIONS; AND

3 (III) FURNISH ANY OTHER INFORMATION THAT THE COMMISSION
4 MAY REQUIRE THE TESTING SERVICE TO PROVIDE.

5 8-303.

6 (a) (1) An applicant for a license shall:

7 (i) submit to the Commission an application on the form that the
8 Commission provides;

9 (ii) submit to the Commission with the license application proof of
10 compliance with the insurance requirement of § 8-302.1 of this subtitle, if the
11 applicant is applying for a contractor license;

12 (iii) pay into the Fund the fee required under § 8-404(a) of this title,
13 if the applicant is applying for a contractor license; and

14 (iv) pay to the Commission an application fee.

15 (2) The application fee:

16 (i) for a contractor license is \$225 for each place of business of the
17 contractor;

18 (ii) for a subcontractor license is \$125; or

19 (iii) for a salesperson license is \$75.

20 (3) To cover the cost of processing an application, \$15 of the application
21 fee is nonrefundable.

22 (b) In addition to any other information required on an application form, the
23 form shall require:

24 (1) for an individual applicant, the name and address of the applicant;

25 (2) for a corporate applicant, the name and address of each officer;

26 (3) for a partnership applicant, the name and address of each partner;

27 (4) for a joint venture applicant, the name and address of each party to
28 the joint venture;

29 (5) if the applicant acts as a contractor or subcontractor through a
30 corporation or limited partnership, the name and address of the resident agent of the
31 corporation or limited partnership in the State;

1 (6) if the applicant is applying for a contractor license or subcontractor
2 license, a complete description of the nature of the contracting business of the
3 applicant;

4 (7) if the applicant is applying for a salesperson license, a complete
5 description of the duties of the applicant;

6 (8) a record of the applicant's experience in the field of home
7 improvement or other construction work, including dates when and addresses where
8 the applicant has resided and done business;

9 (9) whether the applicant has ever held a professional or vocational
10 license in this or any other state; and

11 (10) whether the applicant has had a professional or vocational license
12 denied, suspended, or revoked.

13 (c) To evaluate the qualifications of an applicant for a license, the Commission
14 may ask the applicant for:

15 (1) information about the applicant's character, experience, and financial
16 stability; and

17 (2) any other information that the Commission needs.

18 (d) IF THE APPLICANT IS APPLYING FOR A CONTRACTOR'S LICENSE, THE
19 APPLICANT SHALL:

20 (1) HAVE SUBMITTED TO THE COMMISSION, BY A CREDIT REPORTING
21 AGENCY APPROVED BY THE COMMISSION, A CREDIT REPORT THAT CONTAINS THE
22 INFORMATION REQUIRED BY THE COMMISSION; OR

23 (2) HAVE PAID TO THE COMMISSION OR THE COMMISSION'S DESIGNEE A
24 CREDIT REPORT FEE IN AN AMOUNT ~~COVERING~~ NOT TO EXCEED THE COST CHARGED
25 BY A CREDIT REPORTING AGENCY APPROVED BY THE COMMISSION TO OBTAIN A
26 CREDIT REPORT THAT CONTAINS THE INFORMATION REQUIRED BY THE
27 COMMISSION.

28 (E) Financial information that an applicant submits to the Commission:

29 (1) is confidential and is not a public record; but

30 (2) if relevant, is admissible as evidence in an administrative or judicial
31 proceeding.

32 [(e)] (F) Notwithstanding subsection (a) of this section, an applicant that is
33 incorporated or has its principal office in another state shall pay to the Commission
34 the fee imposed in that state on a similar nonresident business if that fee is higher
35 than the application fee under subsection (a) of this section.

1 8-308.

2 (a) The Secretary may stagger the terms of licenses.

3 (b) Unless a license is renewed for a 2-year term as provided in this section,
4 the license expires:

5 (1) if the Secretary staggers the terms of licenses, on the date that the
6 Secretary sets; or

7 (2) if the Secretary does not stagger the terms of licenses, on the first
8 June 30 that comes after the effective date of the license in an odd-numbered year.

9 (c) At least 1 month before a license expires, the Commission shall mail to the
10 licensee, at the last known address of the licensee:

11 (1) a renewal application form; and

12 (2) a notice that states:

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

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

16 (iii) the amount of the renewal fee.

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

19 (i) otherwise is entitled to be licensed;

20 (ii) submits to the Commission a renewal application on the form
21 that the Commission provides;

22 (iii) submits to the Commission proof of compliance with the
23 insurance requirement of § 8-302.1 of this subtitle, if the licensee is renewing a
24 contractor license; and

25 (iv) pays to the Commission a renewal fee.

26 (2) The renewal fee:

27 (i) for a contractor license is \$225 for each place of business of the
28 contractor;

29 (ii) for a subcontractor license is \$125; or

30 (iii) for a salesperson license is \$75.

1 (3) Notwithstanding paragraph (2) of this subsection, a licensee that is
2 incorporated or has its principal office in another state shall pay to the Commission
3 the fee imposed in that state on a similar nonresident business if that fee is higher
4 than the renewal fee under paragraph (2) of this subsection.

5 (e) FOR RENEWAL OF A CONTRACTOR'S LICENSE, THE LICENSEE SHALL:

6 (1) SUBMIT TO THE COMMISSION, BY A CREDIT REPORTING AGENCY
7 APPROVED BY THE COMMISSION, A CREDIT REPORT THAT CONTAINS THE
8 INFORMATION REQUIRED BY THE COMMISSION; OR

9 (2) PAY TO THE COMMISSION OR THE COMMISSION'S DESIGNEE A
10 CREDIT REPORT FEE IN AN AMOUNT ~~COVERING~~ NOT TO EXCEED THE COST CHARGED
11 BY A CREDIT REPORTING AGENCY APPROVED BY THE COMMISSION TO OBTAIN A
12 CREDIT REPORT THAT CONTAINS THE INFORMATION REQUIRED BY THE
13 COMMISSION FOR RENEWAL OF A CONTRACTOR'S LICENSE.

14 (F) (1) The Commission shall renew the license of each licensee who meets
15 the requirements of this section.

16 (2) The Commission may not renew a contractor license unless the
17 contractor submits proof of compliance with the insurance requirement of § 8-302.1 of
18 this subtitle.

19 9A-303.

20 An applicant for a license shall:

21 (1) submit an application to the Board in the form that the Board
22 provides; and

23 (2) pay to the Board OR THE BOARD'S DESIGNEE an [application]
24 EXAMINATION fee established by the Board IN AN AMOUNT NOT TO EXCEED THE
25 COST OF THE EXAMINATION.

26 9A-304.

27 (a) An applicant who otherwise qualifies for a license is entitled to be
28 examined as provided in this section.

29 (b) The Board shall offer examinations to applicants at least twice annually, at
30 places within the State and at times that the Board determines.

31 (c) The Board shall send written notice of the date, hour, and place of
32 examination to each applicant for a license who is required to pass the examination.

33 (d) (1) The Board shall determine the subjects, scope, and form of and the
34 passing score for examinations given under this title.

35 (2) The Board shall provide examination questions that test the
36 competency and qualifications of the applicant.

1 (e) An applicant for a master restricted or limited heating, ventilation,
2 air-conditioning, and refrigeration contractor license shall be examined only on
3 subjects in which the applicant has the experience required under § 9A-302 of this
4 title.

5 (F) TO TAKE AN EXAMINATION, AN APPLICANT SHALL PAY TO THE BOARD OR
6 A TESTING SERVICE CHOSEN BY THE BOARD THE EXAMINATION FEE SET BY THE
7 BOARD ~~TO COVER~~ IN AN AMOUNT NOT TO EXCEED THE COST OF THE EXAMINATION.

8 (G) (1) THE BOARD MAY USE A TESTING SERVICE TO ADMINISTER THE
9 EXAMINATIONS GIVEN UNDER THIS TITLE.

10 (2) IF THE BOARD USES A TESTING SERVICE, THE TESTING SERVICE,
11 SUBJECT TO REQUIREMENTS SET BY THE BOARD, MAY:

12 (I) SET THE TIME AND PLACE OF EXAMINATIONS;

13 (II) GIVE QUALIFIED APPLICANTS NOTICE OF THE TIME AND PLACE
14 OF EXAMINATIONS; AND

15 (III) FURNISH ANY OTHER INFORMATION THAT THE BOARD MAY
16 REQUIRE THE TESTING SERVICE TO PROVIDE.

17 9A-305.

18 (a) Subject to the limitations in subsections (b) and (c) of this section, on the
19 affirmative vote of at least a majority of the authorized membership of the Board, the
20 Board may waive the examination requirements of this title for an individual who is
21 licensed in another state to provide heating, ventilation, air-conditioning, or
22 refrigeration services as a journeyman, master, master restricted, or limited heating,
23 ventilation, air-conditioning, and refrigeration contractor.

24 (b) The Board may grant a waiver under this section only if the applicant:

25 (1) pays the appropriate application fee required by [§ 9A-303] § 9A-207
26 of this title; and

27 (2) provides adequate evidence that the applicant:

28 (i) meets the qualifications otherwise required by this title;

29 (ii) holds an active license in good standing in the other state;

30 (iii) holds a license that is equivalent to the State license; and

31 (iv) became licensed in the other state after meeting, in that state,
32 requirements that are at least equivalent to the licensing requirements of this State,
33 including the number of years of work experience equivalent to the experience
34 required under § 9A-302(b), (c), and (d) of this title.

1 (c) The Board may grant a waiver only if the state in which the applicant is
2 licensed waives the examination of licensees of this State to a similar extent as this
3 State waives the examination requirements for individuals licensed in that state.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
5 effect October 1, 1998.