

SENATE BILL 681

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2001 Regular Session
11r0040

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

Introduced and read first time: February 2, 2001

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Labor, Licensing, and Regulation - Occupational and**
3 **Professional Licensing Boards and Commissions - Creation of Fund and**
4 **Regulation of Fees**

5 FOR the purpose of establishing an Occupational and Professional Licensing Fund in
6 the Department of Labor, Licensing, and Regulation; requiring that the Fund be
7 used for certain purposes; providing that certain excess moneys from the Fund
8 revert to the General Fund of the State; authorizing the State Board of Public
9 Accountancy, State Board of Architects, State Board of Barbers, State Board of
10 Cosmetologists, State Board of Master Electricians, State Board of Foresters,
11 State Board of Certified Interior Designers, State Board of Examiners of
12 Landscape Architects, State Board of Pilots, State Board of Plumbing, State
13 Board for Professional Engineers, State Board for Professional Land Surveyors,
14 State Commission of Real Estate Appraisers, State Real Estate Commission,
15 State Athletic Commission, Maryland Home Improvement Commission, State
16 Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors,
17 and the Secretary of Labor, Licensing, and Regulation with respect to the
18 Secondhand Precious Metal Object Dealers and Pawnbrokers to set certain fees;
19 specifying the use of certain fees; directing the payment of certain fees to the
20 Fund; changing the classification of certain fees; permitting an applicant for a
21 barber examination to pay an examination fee to a designee of the State Board
22 of Barbers; requiring that an examination fee be paid under certain
23 circumstances for a barber's license; providing for reinstatement fees to be
24 imposed under certain circumstances by the State Board of Public Accountancy,
25 the State Board of Barbers, and the State Board of Cosmetologists; providing for
26 the reinstatement of an expired license by the State Board of Foresters; and
27 generally relating to the authority of the Secretary of Labor, Licensing, and
28 Regulation and the occupational and professional licensing boards and
29 commissions.

30 BY adding to

31 Article - Business Regulation
32 Section 2-106.1, 2-106.2, 4-206, 8-213, 9A-207, 9A-309.1, and 12-104
33 Annotated Code of Maryland

1 (1998 Replacement Volume and 2000 Supplement)

2 BY adding to

3 Article - Business Occupations and Professions

4 Section 2-205.1, 3-209, 4-207, 5-208, 6-207, 7-207, 7-308.1, 8-207, 12-209,
5 14-209, 15-209, 16-217, and 17-213

6 Annotated Code of Maryland

7 (2000 Replacement Volume and 2000 Supplement)

8 BY repealing

9 Article - Business Occupations and Professions

10 Section 2-209, 3-209, 4-207, 5-208, 6-207, 7-207, 8-207, 12-209, 14-209,
11 15-209, 16-217, and 17-213

12 Annotated Code of Maryland

13 (2000 Replacement Volume and 2000 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article - Business Occupations and Professions

16 Section 2-101, 2-206, 2-304, 2-308(b)(3), 2-309(a)(2), 2-311(c)(2), 2-312(e),
17 2-313(a)(2), (c), and (d)(3), 2-314, 2-315(a)(7), 2-319(b), 2-320(a)(5),
18 2-404(a)(2), 2-405(a)(2), 2-407(b)(2) and (c)(2), 2-414(b), 2-416(d)(3),
19 3-101, 3-207, 3-304, 3-306(b)(2) and (c)(1), 3-307(a)(2), 3-309(b)(2), (c)(2),
20 and (e)(2), 3-310(a), 3-311(a)(1)(viii), 3-405(a)(2), 3-406, 3-408(b)(2),
21 (c)(3), and (f)(2), 4-101, 4-206(a), 4-303, 4-304(a)(2), 4-305(b)(1),
22 4-306(b)(1), 4-307(b)(1), 4-308(a)(2), 4-310(b)(2), (c)(2), and (e),
23 4-312(a)(3) and (b), 4-402, 4-405(a), (c), and (d), 4-503, 4-504(b)(3),
24 4-506(b)(2) and (c)(2), 5-101, 5-205, 5-206(a) and (c), 5-306(a),
25 5-307(a)(2), 5-308(b)(1), 5-309, 5-311(b)(2) and (c)(2), 5-312(a)(3) and (b),
26 5-402, 5-405(b)(2) and (c)(2), 5-409, 5-503(a) and (c)(2), 5-504(c)(3),
27 5-506(b)(2) and (c)(2), 6-101, 6-205, 6-305, 6-307(b)(1), 6-309(a)(2),
28 6-310(b)(2) and (c)(2), 6-311(d) and (f)(3), 6-312(a)(3) and (b), 6-313(b)(1),
29 (c)(2), and (d), 6-402(b)(2), 6-503(c)(3), 6-505(a)(2), 7-101, 7-305(a)(2),
30 7-306(a)(2) and (d)(2), 7-308(b)(2), (c)(1), and (g)(2), 7-309(a)(5),
31 7-313(b)(3), 8-101, 8-302(d)(1), 8-303, 8-304(b)(1), 8-305, 8-307(b)(3) and
32 (c)(2), 8-309, 9-101, 9-207, 9-304, 9-306(b)(1), 9-309(b)(2) and (c)(2),
33 9-310(a)(5), 9-313(b)(2), 9-314(a) and (b), 9-405(a)(2), 9-406, 9-408(b)(2)
34 and (c)(2), 11-101, 11-206, 11-405, 11-406(a)(2), 11-408(b)(2) and (c)(3),
35 12-101, 12-303, 12-306(a)(2) and (b), 12-308(b)(2) and (c)(2), 12-310(a)(4),
36 14-101, 14-207, 14-306(a)(2), 14-310(c)(1) and (e), 14-311(b)(2),
37 14-312(a)(2) and (d)(2), 14-314(b)(1) and (c)(2), 14-315(a) and (b)(2),
38 14-316(a)(5), 14-317(a)(5), 14-320(b)(2), 15-101, 15-207, 15-306(a)(2),
39 15-311(b)(2), 15-312(a)(2), (b), and (d), 15-314(b)(1) and (c)(2), 15-315(a),
40 (b)(2), and (c)(2), 15-316(a)(5), 15-317(a)(5), 15-318(a)(7), 15-321(b),
41 15-403, 15-404, 15-406(b)(2) and (c)(2), 16-101, 16-303(a)(2), 16-306(a),
42 16-308(b)(2) and (c)(2), 16-310, 16-505, 16-508(a), 16-510(c)(2),
43 16-511(g)(1), 16-512, 17-101, 17-306(d), 17-307(4), 17-308(b)(1),
44 17-311(c)(5), 17-312(g)(5), 17-313(j)(4), 17-314(d)(1), (e)(2), and (g)(4),

1 17-316(e), 17-317(b)(2) and (c)(2), and 17-318(a)(4)
2 Annotated Code of Maryland
3 (2000 Replacement Volume and 2000 Supplement)

4 BY repealing

5 Article - Business Regulation
6 Section 4-206, 8-213, 9A-207, and 12-104
7 Annotated Code of Maryland
8 (1998 Replacement Volume and 2000 Supplement)

9 BY repealing and reenacting, with amendments,

10 Article - Business Regulation
11 Section 4-305(a)(2), 4-307, 8-101, 8-209(b), 8-210, 8-303(a) and (f), 8-308(c)(2)
12 and (d), 8-308.1(a)(2), (e)(3), and (f)(2), 9A-101, 9A-303, 9A-305(b)(1),
13 9A-309(b)(2), (e), (f), (g), and (h), 12-101, 12-202(a)(1), 12-205(a), and
14 12-207(b)(2) and (c)(7)
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 2000 Supplement)

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

19 **Article - Business Regulation**

20 2-106.1.

21 (A) THIS SECTION APPLIES TO THE FOLLOWING OCCUPATIONAL AND
22 PROFESSIONAL LICENSING BOARDS AND COMMISSIONS:

23 (1) THE STATE BOARD OF PUBLIC ACCOUNTANCY ESTABLISHED UNDER
24 TITLE 2 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

25 (2) THE STATE BOARD OF ARCHITECTS ESTABLISHED UNDER TITLE 3 OF
26 THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

27 (3) THE STATE BOARD OF BARBERS ESTABLISHED UNDER TITLE 4 OF
28 THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

29 (4) THE STATE BOARD OF COSMETOLOGISTS ESTABLISHED UNDER
30 TITLE 5 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

31 (5) THE STATE BOARD OF MASTER ELECTRICIANS ESTABLISHED UNDER
32 TITLE 6 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

33 (6) THE STATE BOARD OF FORESTERS ESTABLISHED UNDER TITLE 7 OF
34 THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

1 (7) THE STATE BOARD OF CERTIFIED INTERIOR DESIGNERS
2 ESTABLISHED UNDER TITLE 8 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS
3 ARTICLE;

4 (8) THE STATE BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS
5 ESTABLISHED UNDER TITLE 9 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS
6 ARTICLE;

7 (9) THE STATE BOARD OF PLUMBERS ESTABLISHED UNDER TITLE 12 OF
8 THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

9 (10) THE STATE BOARD FOR PROFESSIONAL ENGINEERS ESTABLISHED
10 UNDER TITLE 14 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

11 (11) THE STATE BOARD FOR PROFESSIONAL LAND SURVEYORS
12 ESTABLISHED UNDER TITLE 15 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS
13 ARTICLE;

14 (12) THE STATE COMMISSION OF REAL ESTATE APPRAISERS
15 ESTABLISHED UNDER TITLE 16 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS
16 ARTICLE;

17 (13) THE STATE REAL ESTATE COMMISSION ESTABLISHED UNDER TITLE
18 17 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

19 (14) THE STATE ATHLETIC COMMISSION ESTABLISHED UNDER TITLE 4 OF
20 THE BUSINESS REGULATION ARTICLE;

21 (15) THE MARYLAND HOME IMPROVEMENT COMMISSION ESTABLISHED
22 UNDER TITLE 8 OF THE BUSINESS REGULATION ARTICLE;

23 (16) THE STATE BOARD OF HEATING, VENTILATION, AIR-CONDITIONING,
24 AND REFRIGERATION CONTRACTORS ESTABLISHED UNDER TITLE 9A OF THE
25 BUSINESS REGULATION ARTICLE; AND

26 (17) SECONDHAND PRECIOUS METAL OBJECT DEALERS AND
27 PAWNBROKERS REGULATED UNDER TITLE 12 OF THE BUSINESS REGULATION
28 ARTICLE.

29 (B) THERE IS A STATE OCCUPATIONAL AND PROFESSIONAL LICENSING FUND
30 IN THE DEPARTMENT.

31 (C) (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, EACH OCCUPATIONAL
32 AND PROFESSIONAL LICENSING BOARD AND COMMISSION DESCRIBED IN
33 SUBSECTION (A) OF THIS SECTION SHALL PAY ALL FEES IT COLLECTS TO THE
34 COMPTROLLER OF THE STATE.

35 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE FUND.

1 (D) (1) THE FUND SHALL BE USED TO COVER THE ACTUAL DOCUMENTED
2 DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY
3 DUTIES OF EACH OCCUPATIONAL AND PROFESSIONAL LICENSING BOARD AND
4 COMMISSION DESCRIBED IN SUBSECTION (A) OF THIS SECTION.

5 (2) AT THE END OF EACH FISCAL YEAR, ANY UNSPENT PORTIONS OF THE
6 FUND INCURRED IN THAT FISCAL YEAR REVERT TO THE GENERAL FUND OF THE
7 STATE.

8 (E) THE SECRETARY OR A DESIGNEE OF THE SECRETARY SHALL ADMINISTER
9 THE FUND.

10 (F) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND
11 TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT
12 ARTICLE.

13 2-106.2.

14 (A) (1) IN CONSULTATION WITH EACH BOARD AND COMMISSION
15 DESCRIBED IN § 2-106.1 OF THIS TITLE, THE SECRETARY SHALL ANNUALLY
16 CALCULATE THE DIRECT AND INDIRECT COSTS ATTRIBUTABLE TO EACH BOARD AND
17 COMMISSION.

18 (2) EACH BOARD AND COMMISSION SHALL ESTABLISH ITS FEES BASED
19 ON THE CALCULATIONS PROVIDED BY THE SECRETARY UNDER THIS SECTION.

20 (B) IN ORDER TO ESTABLISH FEES THAT MORE EQUITABLY DISTRIBUTE THE
21 COSTS ASSOCIATED WITH THE OPERATION OF EACH BOARD OR COMMISSION AMONG
22 SIMILAR BOARDS AND COMMISSIONS, THE SECRETARY MAY AVERAGE THE DIRECT
23 AND INDIRECT COSTS OF ONE OR MORE BOARDS OR COMMISSIONS PROVIDED THAT:

24 (1) THE BOARDS AND COMMISSIONS CONSENT TO HAVING THEIR
25 DIRECT AND INDIRECT COSTS AVERAGED TOGETHER; AND

26 (2) THE BOARDS AND COMMISSIONS REGULATE INDIVIDUALS IN
27 SIMILAR OR LIKE OCCUPATIONS OR PROFESSIONS.

28 **Article - Business Occupations and Professions**

29 2-101.

30 (a) In this title the following words have the meanings indicated.

31 (b) "Board" means the State Board of Public Accountancy.

32 (c) "License" means, unless the context requires otherwise, a license issued by
33 the Board to practice certified public accountancy.

1 (D) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
2 WITH THE ISSUANCE AND RENEWAL OF A LICENSE AND THE ISSUANCE OF A
3 RECIPROCAL LICENSE AND A LIMITED LICENSE.

4 [(d)] (E) "Licensed certified public accountant" means, unless the context
5 requires otherwise, an individual licensed by the Board to practice certified public
6 accountancy.

7 [(e)] (F) "Permit" means, unless the context requires otherwise, a permit
8 issued by the Board to allow a partnership or corporation to operate a business
9 through which an individual may practice certified public accountancy.

10 (G) "PERMIT FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
11 WITH THE ISSUANCE AND RENEWAL OF A PERMIT AND THE ISSUANCE OF A LIMITED
12 PERMIT.

13 [(f)] (H) "Practice certified public accountancy" means to perform any of the
14 following accountancy services:

15 (1) conducting an audit of financial statements; or

16 (2) providing a written certificate or opinion on the correctness of the
17 information or on the fairness of the presentation of the information in:

18 (i) a financial statement;

19 (ii) a report;

20 (iii) a schedule; or

21 (iv) an exhibit.

22 2-205.1.

23 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

24 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
25 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
26 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
27 BUSINESS REGULATION ARTICLE.

28 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
29 REGULATION.

30 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
31 THE COMPTROLLER OF THE STATE.

32 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
33 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
34 THE BUSINESS REGULATION ARTICLE.

1 2-206.

2 (a) On request of any person and payment of a VERIFICATION fee [of \$10] SET
3 BY THE BOARD, the Board shall certify the licensing or permit status and
4 qualifications of any person who is the subject of the request.

5 (b) Each certification under this section:

6 (1) shall include a statement of the licensing or permit status of the
7 person who is the subject of the request; and

8 (2) may include:

9 (i) information about the examination results and other
10 qualifications of that person;

11 (ii) information about the dates of issuance and renewal of the
12 license or permit of that person;

13 (iii) information about any disciplinary action taken against that
14 person; and

15 (iv) if authorized by that person, information about any complaint
16 against that person.

17 [(c) The Board shall collect a fee of \$10 for each certification under this
18 section.]

19 [2-209.

20 The Board shall pay all money collected under this title into the General Fund of
21 the State.]

22 2-304.

23 An applicant for a license shall:

24 (1) submit to the Board an application on the form that the Board
25 provides; and

26 (2) pay to the Board [or the Board's designee]:

27 (I) A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD;
28 AND

29 (II) an examination fee set by the Board in an amount not to exceed
30 the cost of the required examination.

31 2-308.

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

1 (3) pays to the Board [an application fee of \$50] A NONREFUNDABLE
2 APPLICATION FEE SET BY THE BOARD; and

3 2-309.

4 (a) If an applicant qualifies for a license under this subtitle, the Board shall
5 send the applicant a notice that states that:

6 (2) on receipt of a [\$15] license fee SET BY THE BOARD, the Board will
7 issue a license to the applicant.

8 2-311.

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

11 (2) pays to the Board a renewal fee [not exceeding \$40, as] set by the
12 Board; and

13 2-312.

14 (e) (1) The Board may enter into written agreements with qualified persons
15 wishing to conduct approved programs.

16 (2) A person seeking approval by the Board for this purpose shall:

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

19 (ii) pay [an application fee, not exceeding \$200, as] TO THE BOARD
20 A CONTINUING EDUCATION PROVIDER FEE set by the Board.

21 (3) Agreements entered into under this section shall expire on April 30 of
22 each even-numbered year.

23 2-313.

24 (a) The Board shall place a licensee on inactive status and issue an inactive
25 status certificate to the licensee, if the licensee:

26 (2) pays to the Board an inactive status [application] fee [not exceeding
27 \$20, as] set by the Board; and

28 (c) (1) Unless a licensee on inactive status renews it as provided in this
29 section, the licensee loses that status on the first December 31 that comes:

30 (i) after the inactive status certificate is issued to the licensee; and

31 (ii) in an even-numbered year.

1 (2) At least 1 month before the inactive status of a licensee expires, the
2 Board shall mail to the licensee, at the last known address of the licensee:

3 (i) a renewal application form; and

4 (ii) a notice that states:

5 1. the date on which the inactive status expires;

6 2. the date by which the Board must receive the renewal
7 application for the renewal to be mailed before the inactive status expires; and

8 3. the amount of the [renewal] INACTIVE STATUS fee.

9 (3) Before an inactive status expires, the licensee periodically may renew
10 it for an additional 2-year term, if the licensee:

11 (i) otherwise is entitled to be placed on inactive status;

12 (ii) pays to the Board [a renewal] AN INACTIVE STATUS fee [not
13 exceeding \$20, as] set by the Board; and

14 (iii) submits to the Board a renewal application on the form that the
15 Board provides.

16 (4) After an inactive status expires, the former licensee may reapply for
17 inactive status without meeting the continuing education requirements to qualify for
18 an active license under § 2-312 of this subtitle, only if the former licensee:

19 (i) otherwise is entitled to be placed on inactive status;

20 (ii) pays to the Board [a reapplication fee not exceeding \$40, as] AN
21 INACTIVE STATUS FEE set by the Board; and

22 (iii) reapplies to the Board for inactive status within 2 years after
23 initial expiration of inactive status on a form that the Board provides.

24 (5) The Board shall renew the inactive status of each licensee or grant
25 the reapplication for inactive status of each former licensee who meets the
26 requirements of this subsection.

27 (d) The Board shall reactivate the license of a licensee who is on inactive
28 status, if the licensee:

29 (3) pays to the Board a reactivation fee that is equal to the license
30 [renewal] fee set by the Board under § 2-311 of this subtitle.

31 2-314.

32 In accordance with its regulations, the Board may reinstate the license of an
33 individual who has failed to renew the license for any reason if the individual:

- 1 (1) otherwise is entitled to be licensed;
- 2 (2) complies with each continuing education requirement that the Board
3 sets for this purpose; and
- 4 (3) pays to the Board[:
- 5 (i) all past due renewal fees; and
- 6 (ii)] a reinstatement fee [not exceeding \$60, as] set by the Board.

7 2-315.

8 (a) Subject to the hearing provisions of § 2-317 of this subtitle, the Board, on
9 the affirmative vote of a majority of its members, may deny a license to any applicant,
10 reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

11 (7) has had the right to practice as a certified public accountant in
12 another state denied, revoked, or suspended or has had the renewal of that right
13 denied for any cause other than failure to pay a [renewal] LICENSE fee;

14 2-319.

15 (b) A license may be reinstated under this section only if:

16 (1) the individual whose license has been revoked or suspended submits
17 a written request to the Board;

18 (2) the Board holds a hearing on the request; [and]

19 (3) the Board, by an affirmative vote of a majority of its members, votes
20 to reinstate the license; AND

21 (4) THE INDIVIDUAL PAYS TO THE BOARD A REINSTATEMENT FEE SET
22 BY THE BOARD.

23 2-320.

24 (a) The Board may issue a limited license for the practice of certified public
25 accountancy on a specific job to any applicant who:

26 (5) pays to the Board [an application] A LICENSE fee [of \$25] SET BY
27 THE BOARD.

28 2-404.

29 (a) An applicant for a permit shall:

30 (2) pay to the Board [an application fee of \$25] A NONREFUNDABLE
31 APPLICATION FEE SET BY THE BOARD.

1 2-405.

2 (a) If an applicant qualifies for a permit under this subtitle, the Board shall
3 send the applicant a notice that states that:

4 (2) on receipt of a [\$25] permit fee SET BY THE BOARD, the Board will
5 issue a permit to the applicant.

6 2-407.

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

9 (2) a notice that states:

10 (i) the date on which the current permit expires;

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

13 (iii) the amount of the [renewal] PERMIT fee.

14 (c) Before a permit expires, the permit holder periodically may renew it for an
15 additional 2-year term, if the holder:

16 (2) pays to the Board a [renewal] PERMIT fee [not exceeding \$80, as]
17 set by the Board; and

18 2-414.

19 (b) A permit may be reinstated under this section only if:

20 (1) the partnership, limited liability company, or corporation whose
21 permit has been revoked or suspended submits a written request to the Board;

22 (2) the Board holds a hearing on the request; [and]

23 (3) the Board, by an affirmative vote of a majority of its members, votes
24 to reinstate the permit; AND

25 (4) THE PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION
26 PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

27 2-416.

28 (d) In order to qualify for a limited permit under this section a corporation,
29 limited liability company, or partnership shall:

30 (3) pay to the Board [an application fee of \$25] THE PERMIT FEE SET BY
31 THE BOARD.

1 3-101.

2 (a) In this title the following words have the meanings indicated.

3 (b) "Architect" means an individual who practices architecture.

4 (c) "Board" means, unless the context requires otherwise, the State Board of
5 Architects.

6 (d) "Code official" means a public official responsible for the review of building
7 permit documents or the issuance of building permits.

8 (e) "License" means, unless the context requires otherwise, a license issued by
9 the Board to practice architecture.

10 (F) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
11 WITH THE ISSUANCE AND RENEWAL OF A LICENSE AND THE ISSUANCE OF A
12 RECIPROCAL LICENSE.

13 [(f)] (G) "Licensed architect" means, unless the context requires otherwise, an
14 architect who is licensed by the Board to practice architecture.

15 [(g)] (H) "Permit" means, unless the context requires otherwise, a permit
16 issued by the Board to allow a partnership or corporation to operate a business
17 through which an individual may practice architecture.

18 (I) "PERMIT FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
19 WITH THE ISSUANCE AND RENEWAL OF A PERMIT.

20 [(h)] (J) (1) "Practice architecture" means to provide any service or creative
21 work:

22 (i) in regard to an addition to, alteration of, or construction of a
23 building or an integral part of a building; and

24 (ii) that requires education, training, and experience in
25 architecture.

26 (2) "Practice architecture" includes:

27 (i) architectural design and preparation of related documents;

28 (ii) consultation;

29 (iii) coordination of services that civil, electrical, mechanical, or
30 structural engineers or any other consultants provide;

31 (iv) evaluation;

32 (v) investigation; and

1 (vi) planning.

2 3-207.

3 (a) On request of any person and payment of a VERIFICATION fee [of \$10] SET
4 BY THE BOARD, the Board shall certify the licensing or permit status and
5 qualifications of any person who is the subject of the request.

6 (b) Each certification under this section:

7 (1) shall include a statement of the licensing or permit status of the
8 person who is the subject of the request; and

9 (2) may include:

10 (i) information about the examination results and other
11 qualifications of that person;

12 (ii) information about the dates of issuance and renewal of the
13 license or permit of that person;

14 (iii) information about any disciplinary action taken against that
15 person; and

16 (iv) if authorized by that person, information about any complaint
17 against that person.

18 [(c) The Board shall collect a fee of \$10 for each certification under this
19 section.]

20 [3-209.

21 (a) Subject to the maximum amounts and other limitations specifically set by
22 this title, the Board shall set reasonable fees for the issuance and renewal of licenses
23 and permits and its other services.

24 (b) Except as otherwise provided by law, the Board shall pay all money
25 collected under this title into the General Fund of the State.]

26 3-209.

27 (A) (1) THE BOARD SHALL SET REASONABLE FEES FOR ITS SERVICES.

28 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
29 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
30 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
31 BUSINESS REGULATION ARTICLE.

32 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
33 REGULATION.

1 (C) (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE BOARD SHALL PAY
2 ALL FEES COLLECTED UNDER THIS TITLE TO THE COMPTROLLER OF THE STATE.

3 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
4 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
5 THE BUSINESS REGULATION ARTICLE.

6 3-304.

7 An applicant for a license shall:

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

10 (2) [except as provided in § 3-306(b) or (c) of this subtitle,] pay:

11 (I) TO THE BOARD A NONREFUNDABLE APPLICATION FEE SET BY
12 THE BOARD; AND

13 (II) to the Board or the Board's designee an examination fee set by
14 the Board in an amount not to exceed the cost of the required examination.

15 3-306.

16 (b) The Board may issue a license by reciprocity under this section for an
17 applicant who is licensed to practice architecture in another state or country only if
18 the applicant:

19 (2) pays to the Board [an application fee not exceeding \$100,] A
20 NONREFUNDABLE APPLICATION FEE as set by the Board; and

21 (c) The Board may issue a license by reciprocity under this section for an
22 applicant who is certified by the Council only if:

23 (1) the applicant:

24 (i) is of good character and reputation; and

25 (ii) pays to the Board [an application fee not exceeding \$100,] A
26 NONREFUNDABLE APPLICATION FEE as set by the Board; and

27 3-307.

28 (a) If an applicant qualifies for a license by passing an examination under this
29 subtitle, the Board shall send the applicant a notice that states that:

30 (2) on receipt of a license fee [not exceeding \$60, as] set by the Board,
31 the Board will issue a license to the applicant.

1 3-309.

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

4 (2) a notice that states:

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

6 (ii) the date by which the Board 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] LICENSE fee.

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

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

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

15 (2) pays TO THE BOARD the [renewal] LICENSE fee [to the] SET BY THE
16 Board.

17 3-310.

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

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

21 (2) [pays to the Board all past due renewal fees;

22 (3)] except as otherwise provided in subsection (b) of this section, pays to
23 the Board a reinstatement fee [of \$100, in addition to all past due renewal fees] SET
24 BY THE BOARD; and

25 [(4)] (3) submits to the Board a reinstatement application on the form
26 that the Board provides.

27 3-311.

28 (a) (1) Subject to the hearing provisions of § 3-313 of this subtitle, the
29 Board, on the affirmative vote of a majority of its authorized membership, may deny
30 a license to any applicant, reprimand any licensee, or suspend or revoke a license if:

31 (viii) the applicant or licensee has had a license to practice
32 architecture in another state revoked or suspended for grounds that would justify

1 revocation or suspension of a license under this title, except for failure to pay a license
2 [or license renewal] fee.

3 3-405.

4 (a) An applicant for a permit shall:

5 (2) pay to the Board [an] A NONREFUNDABLE application fee [not
6 exceeding \$50, as] set by the Board.

7 3-406.

8 The Board shall issue a permit to each applicant [that] WHO meets the
9 requirements of this subtitle AND PAYS TO THE BOARD A PERMIT FEE SET BY THE
10 BOARD.

11 3-408.

12 (b) At least 1 month before a permit expires, the Board shall mail to the
13 permit holder, at the last known address of the permit holder:

14 (2) a notice that states:

15 (i) the date on which the current permit expires;

16 (ii) the date by which the Board must receive the renewal
17 application for the renewal to be issued and mailed before the permit expires; and

18 (iii) the amount of the [renewal] PERMIT fee.

19 (c) Before a permit expires, the permit holder periodically may renew it for an
20 additional 2-year term, if the holder:

21 (3) pays to the Board the [renewal] PERMIT fee set by the Board; and

22 (f) A corporation, limited liability company, or partnership has a grace period
23 of 30 days after the permit of the corporation, limited liability company, or
24 partnership expires in which to renew it retroactively, if the corporation, limited
25 liability company, or partnership:

26 (2) pays to the Board the [renewal] PERMIT fee SET BY THE BOARD.

27 4-101.

28 (a) In this title the following words have the meanings indicated.

29 (b) "Apprentice barber" means an individual who, under the supervision of a
30 master barber, is learning to practice barbering in a barbershop that holds a
31 barbershop permit.

32 (c) "Barber" means an individual who practices barbering.

1 (d) (1) "Barbershop" means any commercial establishment, except a beauty
2 salon, in which an individual practices barbering.

3 (2) "Barbershop" does not include a clinic in a barber school.

4 (e) "Barbershop permit" means a permit issued by the Board to operate a
5 barbershop.

6 (f) "Board" means the State Board of Barbers.

7 (g) (1) "License" means, unless the context requires otherwise, a license
8 issued by the Board to practice barbering.

9 (2) "License" includes, unless the context requires otherwise, each of the
10 following licenses:

11 (i) master barber license; and

12 (ii) a barber license.

13 (H) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
14 WITH THE ISSUANCE AND RENEWAL OF A LICENSE.

15 [(h)] (I) "Master barber" means a barber who:

16 (1) has at least 15 months experience as a licensed barber; and

17 (2) has passed a test approved by the Board.

18 (J) "PERMIT FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
19 WITH THE ISSUANCE AND RENEWAL OF A PERMIT.

20 [(i)] (K) (1) "Practice barbering" means to provide to an individual for
21 compensation the service of:

22 (i) cutting, razor cutting, styling, relaxing, body waving,
23 shampooing, or coloring the hair;

24 (ii) shaving or trimming the beard;

25 (iii) massaging the face;

26 (iv) designing, fitting, or cutting a hairpiece; or

27 (v) performing any other similar procedure on the hair, beard, face,
28 or hairpiece of the individual.

29 (2) "Practice barbering" does not include:

30 (i) the mere sale of wigs or hairpieces; or

1 (ii) the services performed by an employee under the supervision of
2 a master barber in a barbershop that holds a barbershop permit that are restricted to:

- 3 1. shampooing;
- 4 2. removal of a hair solution;
- 5 3. sterilization of equipment; or
- 6 4. similar activities.

7 (L) "REGISTRATION FEE" MEANS, AS APPLICABLE, THE FEE PAID IN
8 CONNECTION WITH THE ISSUANCE AND RENEWAL OF A REGISTRATION.

9 4-206.

10 (a) [(1)] In addition to any powers set forth elsewhere, the Board may adopt
11 any regulation to carry out this title.

12 [(2) (i) The Board shall establish reasonable fees for examinations,
13 licensing, licensing renewal, reinstatement, certification, applications, preopening
14 inspections, per diem fees for Board members, compensation for inspectors appointed
15 by the Board, and any other service performed by the Board necessary to carry out the
16 provisions of this title.

17 (ii) Except for examination fees which the Board shall establish in
18 amounts not to exceed the costs of the required examinations, the fees established by
19 the Board shall be set in a manner that will produce funds sufficient to cover the
20 actual direct and indirect costs of regulating the barber industry in this State in
21 accordance with the provisions of this title.

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

25 [4-207.

26 The Board shall pay all money collected under this title into the General Fund of
27 the State.]

28 4-207.

29 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

30 (2) THE FEES SHALL BE SET SO AS TO PRODUCE FUNDS TO
31 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
32 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
33 BUSINESS REGULATION ARTICLE.

34 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
35 REGULATION.

1 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
2 THE COMPTROLLER OF THE STATE.

3 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
4 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
5 THE BUSINESS REGULATION ARTICLE.

6 4-303.

7 An applicant for a license shall:

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

10 (2) PAY TO THE BOARD A NONREFUNDABLE APPLICATION FEE SET BY
11 THE BOARD; AND

12 (3) pay to the Board OR THE BOARD'S DESIGNEE an examination fee
13 established by the Board in an amount not to exceed the cost of the required
14 examination.

15 4-304.

16 (a) Except as otherwise provided in § 4-304.1 of this subtitle, an applicant is
17 entitled to be examined as provided in this section if the applicant:

18 (2) pays an examination fee established by the Board in accordance with
19 [§§ 4-206 and] § 4-303 of this title to the Board or the Board's designee.

20 4-305.

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

22 (1) pays:

23 (I) the examination fee required under § 4-303 of this subtitle;

24 AND

25 (II) A NONREFUNDABLE APPLICATION FEE ESTABLISHED BY THE
26 BOARD;

27 4-306.

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

29 (1) the applicant pays:

30 (I) the NONREFUNDABLE application fee set by the Board [under §
31 4-206]; and

1 (II) any applicable examination fee required under § 4-303 of this
2 subtitle for any examination requirement that is not waived by the Board;
3 4-307.

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

6 (1) PAYS TO THE BOARD:

7 (I) AN APPLICATION FEE ESTABLISHED BY THE BOARD;

8 (II) [pays] the examination fee required under § 4-303 of this
9 subtitle that is attributable to the practical part of the examination;

10 4-308.

11 (a) If an applicant qualifies for a license under this subtitle, the Board shall
12 send the applicant a notice that states that:

13 (2) the Board will issue the license to the applicant, on receipt of the
14 appropriate license fee established by the Board in accordance with [§ 4-206] §
15 4-207 of this title.

16 4-310.

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

19 (2) a notice that states:

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

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

23 (iii) the amount of the [renewal] LICENSE fee.

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

26 (2) pays to the Board a [renewal] LICENSE fee established by the Board
27 [in accordance with § 4-206 of this title]; and

28 (e) The Secretary may determine that [master barber] licenses issued under
29 this subtitle shall expire on a staggered basis.

30 4-312.

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

1 (3) pays to the Board a reinstatement fee established by the Board [in
2 accordance with § 4-206 of this title, in addition to the renewal fee required under
3 § 4-310 of this subtitle].

4 (b) If an individual has failed to renew a license for any reason and then
5 applies to the Board for reinstatement more than 5 years after the license has
6 expired, the Board shall reinstate the license only if the individual:

7 (1) meets the renewal requirements for that license under § 4-310 of this
8 subtitle;

9 (2) [pays to the Board a reinstatement fee established by the Board in
10 accordance with § 4-206 of this title, in addition to the renewal fee required under
11 § 4-310 of this subtitle; and] PAYS TO THE BOARD AN EXAMINATION FEE
12 ESTABLISHED BY THE BOARD IN AN AMOUNT NOT TO EXCEED THE COST OF THE
13 REQUIRED EXAMINATION;

14 (3) passes the examination required by the Board; AND

15 (4) PAYS TO THE BOARD A REINSTATEMENT FEE ESTABLISHED BY THE
16 BOARD.

17 4-402.

18 An applicant for registration as an apprentice barber shall:

19 (1) submit to the Board an application on the form that the Board
20 provides;

21 (2) pay to the Board:

22 (I) [an] A NONREFUNDABLE application fee established by the
23 Board [in accordance with § 4-206 of this title]; and

24 (II) A REGISTRATION FEE ESTABLISHED BY THE BOARD; AND

25 (3) submit to the Board adequate evidence of the following:

26 (i) the intention of a barbershop in the State to allow the applicant
27 to affiliate with it as an apprentice barber; and

28 (ii) in the case of an applicant who does not speak English, the
29 intention to participate in an English comprehension course during the
30 apprenticeship.

31 4-405.

32 (a) (1) The initial term of registration as an apprentice barber is 2 years.

33 (2) Before the initial term of registration as an apprentice barber
34 expires, the apprentice barber shall take the [journey] barber examination.

1 (3) If an apprentice barber fails the [journey] barber examination, the
 2 apprentice barber may renew the apprentice barber registration 1 time with the
 3 approval of the Board.

4 (c) At least 1 month before registration as an apprentice barber expires, the
 5 Board shall mail to the apprentice barber, at the last known address of the apprentice
 6 barber:

7 (1) a renewal application form; and

8 (2) a notice that states:

9 (i) the date on which the current registration as an apprentice
 10 barber expires;

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

14 (iii) the amount of the [renewal] REGISTRATION fee.

15 (d) The Board shall renew the apprentice barber registration of and issue a
 16 renewal certificate to each apprentice barber who:

17 (1) PAYS TO THE BOARD THE REGISTRATION FEE ESTABLISHED BY THE
 18 BOARD; AND

19 (2) OTHERWISE meets the requirements of this section.

20 4-503.

21 (a) An applicant for a barbershop permit shall:

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

24 (2) pay to the Board:

25 (I) an application fee ESTABLISHED BY THE BOARD; [and]

26 (II) a pre-opening inspection fee established by the Board [in
 27 accordance with § 4-206 of this title]; AND

28 (III) A PERMIT FEE ESTABLISHED BY THE BOARD.

29 (b) For each barbershop permit for which a person applies, the person shall
 30 submit:

31 (1) a separate [application] APPLICATION; and

32 (2) pay A separate application and pre-opening inspection [fees] FEE.

1 4-504.

2 (b) The Board shall issue a barbershop permit and a beauty salon permit to an
3 applicant of a single establishment if the applicant:

4 (3) pays a separate fee for each application AND PERMIT.

5 4-506.

6 (b) At least 1 month before a barbershop permit expires, the Board shall mail
7 to the permit holder, at the last known address of the holder:

8 (2) a notice that states:

9 (i) the date on which the current permit expires;

10 (ii) the date by which the Board must receive the renewal
11 application for the renewal to be issued and mailed before the permit expires; and

12 (iii) the amount of the [renewal] PERMIT fee.

13 (c) Before a barbershop permit expires, the barbershop permit holder
14 periodically may renew it for an additional 2-year term, if the holder:

15 (2) pays to the Board a [renewal] PERMIT fee established by the Board
16 [in accordance with § 4-206 of this title]; and

17 5-101.

18 (a) In this title the following words have the meanings indicated.

19 (b) "Apprentice" means an individual who is learning to practice cosmetology
20 or any limited practice of cosmetology in a beauty salon that holds a beauty salon
21 permit under the supervision of:

22 (1) if learning to practice cosmetology, a licensed senior cosmetologist;

23 (2) if learning to provide esthetic services, a licensed senior cosmetologist
24 or a licensed esthetician with 2 years' experience; and

25 (3) if learning to provide nail technician services, a licensed senior
26 cosmetologist or a licensed nail technician with 2 years' experience.

27 (c) (1) "Beauty salon" means any commercial establishment, except a
28 barbershop, in which an individual practices cosmetology.

29 (2) "Beauty salon" does not include a clinic in a cosmetology school.

30 (d) "Beauty salon permit" means a permit issued by the Board to operate a
31 beauty salon.

1 (e) "Board" means the State Board of Cosmetologists.

2 (f) "Cosmetologist" means an individual who practices cosmetology.

3 (g) (1) "License" means, unless the context requires otherwise, a license
4 issued by the Board.

5 (2) "License" includes, unless the context requires otherwise, each of the
6 following licenses:

7 (i) a license to practice cosmetology;

8 (ii) a license to practice as a senior cosmetologist;

9 (iii) a limited license to provide makeup artist services;

10 (iv) a limited license to provide esthetic services; and

11 (v) a limited license to provide nail technician services.

12 (H) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
13 WITH THE ISSUANCE AND RENEWAL OF A LICENSE AND A LIMITED LICENSE.

14 [(h)] (I) "Licensed cosmetologist" means, unless the context requires
15 otherwise, a cosmetologist who is licensed by the Board to practice cosmetology.

16 [(i)] (J) "Licensed senior cosmetologist" means a person who:

17 (1) has at least 2 years of experience as a licensed cosmetologist; and

18 (2) has passed a test approved by the Board.

19 [(j)] (K) (1) "Limited license" means a license issued by the Board to
20 practice cosmetology as limited in § 5-301 of this title.

21 (2) "Limited license" includes, unless the context requires otherwise,
22 each of the following licenses:

23 (i) a limited license to provide makeup artist services;

24 (ii) a limited license to provide esthetic services; and

25 (iii) a limited license to provide nail technician services.

26 (L) "PERMIT FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
27 WITH THE ISSUANCE AND RENEWAL OF A PERMIT.

28 [(k)] (M) (1) "Practice cosmetology" means to engage in any of the following
29 for compensation:

1 (i) beautifying, cleaning, or embellishing the hair of an individual

2 by:

- 3 1. arranging the hair;
- 4 2. bleaching the hair;
- 5 3. cleansing the hair;
- 6 4. coloring the hair;
- 7 5. curling the hair;
- 8 6. cutting the hair;
- 9 7. dressing the hair;
- 10 8. singeing the hair;
- 11 9. permanent waving the hair;
- 12 10. waving the hair; or
- 13 11. performing any other similar procedure intended to
- 14 beautify, clean, or embellish the hair;

15 (ii) arching or dyeing eyebrows;

16 (iii) dyeing eyelashes;

17 (iv) providing makeup artist services;

18 (v) providing esthetic services; or

19 (vi) providing nail technician services.

20 (2) The practice of cosmetology does not include:

21 (i) the mere sale, fitting, or styling of wigs or hairpieces;

22 (ii) the mere shampooing of hair; or

23 (iii) a service that results in tension on hair strands or roots by

24 twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical

25 device, provided that the service does not include the application of dyes, reactive

26 chemicals, or other preparations to alter the color of the hair or to straighten, curl, or

27 alter the structure of the hair.

28 [(1)] (N) "Provide makeup artist services" means to apply creams, lotions,

29 cosmetic preparations, and cleansing solutions to an individual's face for

30 compensation.

1 [(m)] (O) "Provide esthetic services" means to provide to an individual, for
2 compensation, the service of:

3 (1) cleansing, exercising, massaging, stimulating, or performing any
4 other similar procedure on the skin or scalp by electrical, mechanical, or any other
5 means;

6 (2) applying to the face an alcohol, cream, lotion, astringent, or cosmetic
7 preparation; or

8 (3) removing superfluous hair by the use of a depilatory, tweezers, or
9 wax.

10 [(n)] (P) "Provide nail technician services" means to provide to an individual,
11 for compensation, the service of:

12 (1) manicuring or pedicuring the individual's nails;

13 (2) applying artificial nail enhancement products; or

14 (3) maintaining artificial nail enhancement products.

15 (Q) "REGISTRATION FEE" MEANS, AS APPLICABLE, THE FEE PAID IN
16 CONNECTION WITH THE ISSUANCE AND RENEWAL OF A REGISTRATION.

17 5-205.

18 [(a)] In addition to any duties set forth elsewhere, the Board shall adopt:

19 (1) bylaws for the conduct of its proceedings;

20 (2) regulations for qualification and examination of applicants for
21 licenses, registration, and permits and issuance of licenses, certificates of
22 registration, and permits;

23 (3) regulations to govern the conduct of persons regulated under this
24 title;

25 (4) regulations to govern sanitation and safety in practicing cosmetology,
26 including regulations that establish precautions to prevent the spread of infectious
27 and contagious diseases; and

28 (5) regulations to govern the direct supervision of the operation of
29 limited practice beauty salons.

30 [(b)] (1) Subject to paragraph (4) of this subsection, the Board shall establish
31 reasonable fees for examinations, reinstatements, certifications, applications,
32 preopening inspections, per diem fees for Board members, compensation for
33 inspectors appointed by the Board, and for any other service performed by the Board
34 necessary to carry out the provisions of this title.

1 (2) Except for the examination fees which the Board shall establish in
2 amounts not to exceed the costs of the examinations, the fees established by the Board
3 shall be set in a manner that will produce funds sufficient to cover the actual direct
4 and indirect costs of regulating the cosmetology industry in the State in accordance
5 with the provisions of this title.

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

9 (4) The Board shall require a \$25 fee for the licensure or renewal of
10 licensure of cosmetologists, senior cosmetologists, estheticians, nail technicians, and
11 makeup artists.]

12 5-206.

13 (a) On request of any person and payment of a certification fee established by
14 the Board [in accordance with § 5-205 of this subtitle], the Board shall certify the
15 licensing, registration, or permit status and qualifications of any person who is the
16 subject of the request.

17 (c) The Board shall collect the certification fee [established by the Board in
18 accordance with § 5-205 of this subtitle] for each certification under this section.

19 [5-208.

20 The Board shall pay all money collected under this title into the General Fund of
21 the State.]

22 5-208.

23 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

24 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
25 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
26 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
27 BUSINESS REGULATION ARTICLE.

28 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
29 REGULATION.

30 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
31 THE COMPTROLLER OF THE STATE.

32 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
33 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
34 THE BUSINESS REGULATION ARTICLE.

35 5-306.

36 (a) An applicant for a license:

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

3 (2) SHALL PAY TO THE BOARD A NONREFUNDABLE APPLICATION FEE
4 ESTABLISHED BY THE BOARD; AND

5 [(2)] (3) except as provided in § 5-308 of this subtitle, shall pay to the
6 Board or the Board's designee [the appropriate] AN examination fee established by
7 the Board [in accordance with § 5-205 of this title] in an amount not to exceed the
8 cost of the required examination.

9 5-307.

10 (a) Except as otherwise provided in § 5-307.1 of this subtitle, an applicant is
11 entitled to be examined as provided in this section if the applicant:

12 (2) pays an examination [fee, as established by the Board] FEE in
13 accordance with [§§ 5-205 and] § 5-306 of this title[,] to the Board or the Board's
14 designee.

15 5-308.

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

17 (1) pays to the Board [an] A NONREFUNDABLE application fee
18 established by the Board [in accordance with § 5-205 of this title]; and

19 5-309.

20 If an applicant qualifies for a license under this subtitle, the Board shall send
21 the applicant a notice that states that:

22 (1) the applicant has qualified for the license; and

23 (2) the Board will issue the license to the applicant on receipt of a license
24 fee established by the Board [in accordance with § 5-205 of this title].

25 5-311.

26 (b) 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 (2) a notice that states:

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

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

32 (iii) the amount of the [renewal] LICENSE fee.

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

3 (2) pays to the Board a [renewal] LICENSE fee established by the Board
4 [in accordance with § 5-205 of this title]; and

5 5-312.

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

8 (3) pays to the Board a reinstatement fee established by the Board [in
9 accordance with § 5-205 of this title, in addition to the renewal fee required under
10 § 5-311 of this subtitle].

11 (b) If an individual has failed to renew a license for any reason and then
12 applies to the Board for reinstatement more than 5 years after the license has
13 expired, the Board shall reinstate the license only if the individual:

14 (1) meets the renewal requirements of § 5-311 of this subtitle;

15 (2) PAYS TO THE BOARD AN EXAMINATION FEE ESTABLISHED BY THE
16 BOARD IN AN AMOUNT NOT TO EXCEED THE COST OF THE REQUIRED EXAMINATION;

17 [(2)] (3) passes the examination required by the Board; and

18 [(3)] (4) pays to the Board a reinstatement fee established by the Board
19 [in accordance with § 5-205 of this title, in addition to the renewal fee required under
20 § 5-311 of this subtitle].

21 5-402.

22 An applicant for registration shall:

23 (1) submit to the Board an application on the form that the Board
24 provides; [and]

25 (2) pay to the Board [an] A NONREFUNDABLE application fee
26 established by the Board [in accordance with § 5-205 of this title]; AND

27 (3) PAY TO THE BOARD A REGISTRATION FEE ESTABLISHED BY THE
28 BOARD.

29 5-405.

30 (b) At least 1 month before the registration of an individual expires, the Board
31 shall mail to the individual, at the last known address of the individual:

32 (2) a notice that states:

33 (i) the date on which the current registration expires;

1 (ii) the date by which the Board must receive the renewal
2 application for the renewal to be issued and mailed before the registration expires;
3 and

4 (iii) the amount of the [renewal] REGISTRATION fee.

5 (c) Before the registration of an individual expires, the individual periodically
6 may renew it for an additional term, if the individual:

7 (2) pays to the Board a [renewal] REGISTRATION fee established by the
8 Board [in accordance with § 5-205 of this title]; and

9 5-409.

10 The Board may reinstate the registration of an individual whose registration
11 has been suspended or revoked under § 5-407 of this subtitle if the individual:

12 (1) applies to the Board for reinstatement of the registration; [and]

13 (2) provides to the Board adequate evidence that the applicant is
14 qualified to have the registration reinstated; AND

15 (3) PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

16 5-503.

17 (a) An applicant for a beauty salon permit shall:

18 (1) submit to the Board an application on the form that the Board
19 provides; AND

20 (2) pay to the Board;

21 (I) [an] A NONREFUNDABLE application fee established by the
22 Board [in accordance with the provisions of § 5-205 of this title]; [and]

23 [(3)] (II) [pay to the Board] an inspection fee established by the Board
24 [in accordance with the provisions of § 5-205 of this title]; AND

25 (III) A PERMIT FEE ESTABLISHED BY THE BOARD.

26 (c) For each beauty salon permit for which a person applies, the person shall:

27 (2) pay a separate application AND INSPECTION fee.

28 5-504.

29 (c) The Board shall issue a beauty salon permit and a barbershop permit to an
30 applicant of a single establishment if the applicant:

31 (3) pays a separate fee for each application AND PERMIT.

1 5-506.

2 (b) At least 1 month before a beauty salon permit expires, the Board shall mail
3 to the beauty salon permit holder, at the last known address of the holder:

4 (2) a notice that states:

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

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

8 (iii) the amount of the [renewal] PERMIT fee.

9 (c) Before a beauty salon permit expires, the beauty salon permit holder
10 periodically may renew it for an additional 2-year term, if the holder:

11 (2) pays to the Board a [renewal] PERMIT fee established by the Board
12 [in accordance with the provisions of § 5-205 of this title]; and

13 6-101.

14 (a) In this title the following words have the meanings indicated.

15 (b) (1) "Assignment of local license" means any procedure by which a
16 licensee grants to another person a right to use a local license to enable that person to
17 engage in the business of providing electrical services.

18 (2) "Assignment of local license" includes any procedure by which:

19 (i) a licensee agrees to be the representative of another person; and

20 (ii) by virtue of that agreement, the other person is authorized to
21 engage in the business of providing electrical services.

22 (c) "Engage in the business of providing electrical services" means to engage
23 in providing electrical services for compensation.

24 (d) "License" means, unless the context requires otherwise, a license issued by
25 the State Board or a local jurisdiction to provide electrical services.

26 (E) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
27 WITH THE ISSUANCE, RENEWAL, AND REACTIVATION OF A LICENSE AND THE
28 ISSUANCE AND RENEWAL OF A RECIPROCAL LICENSE.

29 [(e)] (F) "Licensed master electrician" means, unless the context requires
30 otherwise, a master electrician who is licensed by the State Board or a local
31 jurisdiction to provide electrical services.

32 [(f)] (G) "Local board" means a board that a local jurisdiction of the State
33 creates to regulate any aspect of the electrical trade.

1 [(g)] (H) "Local license" means, unless the context requires otherwise, a
2 license that is issued by a local board to provide electrical services as a master
3 electrician.

4 [(h)] (I) "Master electrician" means an individual who has the experience,
5 knowledge, and skill to provide electrical services in all aspects of the electrical trade,
6 in a manner that complies with applicable plans, specifications, codes, or law.

7 [(i)] (J) (1) "Provide electrical services" means to provide any service in the
8 electrical trade.

9 (2) "Provide electrical services" includes installing, repairing, or altering
10 any electrical wiring, fixture, appliance, apparatus, raceway, or conduit that:

11 (i) generates, transmits, transforms, or uses electrical energy in
12 any form for light, heat, power, or communication; and

13 (ii) is located within a plant, substation, or elsewhere.

14 [(j)] (K) "State Board" means the State Board of Master Electricians.

15 [(k)] (L) "State license" means a license that is issued by the State Board to a
16 master electrician.

17 6-205.

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

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

21 (2) adopt regulations to establish[:

22 (i) application and examination fees; and

23 (ii)] application deadlines.

24 [6-207.

25 The State Board shall pay all money collected under this title into the General
26 Fund of the State.]

27 6-207.

28 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

29 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
30 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
31 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
32 BUSINESS REGULATION ARTICLE.

1 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
2 REGULATION.

3 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
4 THE COMPTROLLER OF THE STATE.

5 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
6 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
7 THE BUSINESS REGULATION ARTICLE.

8 6-305.

9 An applicant for a State license shall:

10 (1) submit to the State Board an application on the form that the State
11 Board provides AND A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD; and

12 (2) pay to the State Board or the State Board's designee an examination
13 fee set by the Board in an amount not to exceed the cost of the required examination.
14 6-307.

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

17 (1) pays the NONREFUNDABLE application fee established by the Board
18 [under § 6-205 of this title];

19 6-309.

20 (a) If an applicant qualifies for a State license under this subtitle, the State
21 Board shall send the applicant a notice that states that:

22 (2) the State Board will issue a State license to the applicant on receipt
23 of:

24 (i) [\$20] A LICENSE FEE SET BY THE BOARD; and

25 (ii) proof of general liability and property damage insurance as
26 required under § 6-604 of this title.

27 6-310.

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

30 (2) a notice that states:

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

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

4 (iii) the amount of the [renewal] LICENSE fee.

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

7 (2) pays to the State Board a [renewal] LICENSE fee [of \$25] SET BY
8 THE BOARD; and

9 6-311.

10 (d) (1) Unless the individual applies for another 2-year term as provided in
11 this subsection, an individual on inactive status loses that status on the first June 30
12 that comes:

13 (i) after the inactive status registration certificate is issued to the
14 licensee; and

15 (ii) in an odd-numbered year.

16 (2) At least 1 month before the inactive status of an individual expires,
17 the State Board shall mail to the individual, at the last known address of the
18 individual:

19 (i) a renewal application form; and

20 (ii) a notice that states:

21 1. the date on which the inactive status expires;

22 2. the date by which the State Board must receive the
23 renewal application for the renewal to be issued and mailed before the inactive status
24 expires; and

25 3. the amount of the [renewal] INACTIVE STATUS fee.

26 (3) Before the inactive status expires, an individual on inactive status
27 periodically may renew it for an additional 2-year term, if the individual:

28 (i) otherwise is entitled to be placed on inactive status;

29 (ii) except for an electrical inspector, pays to the State Board a
30 [renewal] LICENSE fee [of \$50] SET BY THE BOARD; and

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

1 (4) After an inactive status expires, the former licensee may reapply for
2 inactive status only if the former licensee:

3 (i) otherwise is entitled to be placed on inactive status;

4 (ii) pays to the Board [a reapplication] AN INACTIVE STATUS
5 REINSTATEMENT fee [of \$100] SET BY THE BOARD UNDER § 6-205 OF THIS TITLE; and

6 (iii) reapplies to the Board for inactive status within 2 years after
7 initial expiration of inactive status on a form that the Board provides.

8 (5) The State Board shall renew the inactive status of each individual or
9 grant the reapplication for inactive status of each former licensee who meets the
10 requirements of this subsection.

11 (f) The State Board shall reactivate the State license of an individual who is
12 on inactive status, if the individual:

13 (3) pays to the State Board a [reactivation] LICENSE fee [of \$50] SET BY
14 THE BOARD UNDER § 6-205 OF THIS TITLE.

15 6-312.

16 (a) The State Board shall reinstate the State license of a master electrician
17 who is not on inactive status and who has failed to renew the State license for any
18 reason, if the master electrician:

19 (3) [in addition to the renewal fee required under § 6-310 of this
20 subtitle,] pays to the State Board a reinstatement fee [of:

21 (i) \$25 for up to and including a 30-day late renewal;

22 (ii) \$50 for up to and including a 60-day late renewal; or

23 (iii) \$100 for a late renewal over 60 days] SET BY THE BOARD.

24 (b) If a master electrician who has failed to renew the State license for any
25 reason applies for reinstatement more than 2 years after the State license has
26 expired, the State Board shall require the master electrician to pay a reinstatement
27 fee [of \$100] SET BY THE BOARD, and comply with the requirements for obtaining a
28 State license under §§ 6-304, 6-307, and 6-503 of this subtitle.

29 6-313.

30 (b) (1) On appointment or employment as an electrical inspector, the
31 individual:

32 (i) shall place the State license of the individual on inactive status;

33 and

1 (ii) except for the [renewal] INACTIVE STATUS fee, shall meet the
2 inactive status requirements of § 6-311 of this subtitle.

3 (c) The State Board may change the status of an electrical inspector to
4 individual inactive status, if the electrical inspector:

5 (2) pays an inactive status fee [of \$50] SET BY THE BOARD.

6 (d) On termination of the appointment or employment of an individual as an
7 electrical inspector, the State Board shall reactivate the State license of the individual
8 who is on inactive status, without examination, if the individual meets the
9 reactivation requirements for a State license under § 6-311(f) of this subtitle,
10 including payment of the [reactivation] LICENSE fee.

11 6-402.

12 (b) To change an assignment of a local license, an applicant shall:

13 (2) pay to the State Board a change of status fee [of \$50] SET BY THE
14 BOARD;

15 6-503.

16 (c) The State Board shall grant a waiver under this section for an applicant
17 who holds a license from a local jurisdiction only if the applicant:

18 (3) pays any [reciprocal] license fee required under this title;

19 6-505.

20 (a) Before a reciprocal license expires, the licensee periodically may renew it
21 for an additional term, if the licensee:

22 (2) pays a [renewal] LICENSE fee to:

23 (i) the State Board as required under this title; or

24 (ii) the local jurisdiction from which the reciprocal license is sought;
25 and

26 7-101.

27 (a) In this title the following words have the meanings indicated.

28 (b) "Board" means the State Board of Foresters.

29 (c) (1) "Forestry" means the application, for compensation, of scientific
30 techniques to the planting, conservation, protection, and management of trees and
31 related resources for their continuing use, whether found in large numbers and areas
32 commonly known as forests, woodlands, and woodlots or in small groupings and
33 individual trees in suburban and urban settings.

1 (2) "Forestry" includes:

2 (i) consultation, investigation, evaluation, or planning of any
3 forestry activity that is described under paragraph (1) of this subsection; or

4 (ii) having responsibility for any forestry activity that is described
5 under paragraph (1) of this subsection.

6 (3) "Forestry" does not include:

7 (i) the services of a tree expert, as defined under § 5-415(c) of the
8 Natural Resources Article;

9 (ii) practices and services generally provided by:

10 1. an arboriculturist;

11 2. a gardener;

12 3. a horticulturist;

13 4. a landscape contractor;

14 5. a landscape gardener;

15 6. a nurseryman; or

16 7. an orchardist; or

17 (iii) the cutting, hauling, handling, or processing of forest products.

18 (d) "License" means, unless the context requires otherwise, a license issued by
19 the Board to practice forestry.

20 (E) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
21 WITH THE ISSUANCE AND RENEWAL OF A LICENSE.

22 [(e)] (F) "Licensed forester" means, unless the context requires otherwise, an
23 individual who is licensed by the Board to practice forestry.

24 [7-207.

25 The Board shall pay all money collected under this title into the General Fund of
26 the State.]

27 7-207.

28 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

29 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
30 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON

1 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
2 BUSINESS REGULATION ARTICLE.

3 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
4 REGULATION.

5 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
6 THE COMPTROLLER OF THE STATE.

7 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
8 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
9 THE BUSINESS REGULATION ARTICLE.

10 7-305.

11 (a) An applicant for a license shall:

12 (2) pay to the Board [an] A NONREFUNDABLE application fee [of \$45]
13 SET BY THE BOARD.

14 7-306.

15 (a) If an applicant qualifies for a license under this subtitle, the Board shall
16 mail the applicant a notice that states that:

17 (2) on receipt of a [\$55] license fee SET BY THE BOARD, the Board will
18 issue a license to the applicant; and

19 (d) Subject to any regulation that the Board adopts, it shall replace any lost,
20 mutilated, or destroyed license certificate on:

21 (2) payment of a replacement fee [of \$5] SET BY THE BOARD.

22 7-308.

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

25 (2) a notice that states:

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

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

29 (iii) the amount of the [renewal] LICENSE fee.

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

32 (i) otherwise is entitled to be licensed;

1 (ii) except as provided in subsection (d) of this section, pays to the
2 Board a [renewal] LICENSE fee [of \$100] SET BY THE BOARD; and

3 (iii) submits to the Board a renewal application on the form that the
4 Board provides.

5 (g) (2) The Board shall grant inactive status to a licensee if the licensee:

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

7 (ii) pays to the Board an inactive license fee [of \$25] SET BY THE
8 BOARD.

9 7-308.1.

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

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

14 (2) MEETS THE RENEWAL REQUIREMENTS OF § 7-308 OF THIS SUBTITLE;
15 AND

16 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS
17 SECTION, PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

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

21 (I) REQUIRE THE INDIVIDUAL TO REAPPLY FOR A LICENSE IN THE
22 SAME MANNER AS AN APPLICANT APPLIES FOR AN ORIGINAL LICENSE UNDER THIS
23 SUBTITLE; OR

24 (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, REINSTATE
25 THE LICENSE.

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

28 (I) MEETS THE RENEWAL REQUIREMENTS OF § 7-308 OF THIS
29 SUBTITLE;

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

32 (III) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS
33 SECTION, PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

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 FORESTRY DURING THE TIME THE LICENSE LAPSED.

4 7-309.

5 (a) Subject to the hearing provisions of § 7-311 of this subtitle, the Board, on
6 the affirmative vote of a majority of its authorized members, may deny a license to
7 any applicant, reprimand any licensee, or suspend or revoke a license if the applicant
8 or licensee:

9 (5) has had a license to practice forestry in another state revoked or
10 suspended by the other state for a cause that would justify revocation or suspension
11 under this title, except for the failure to pay a license or registration [renewal] fee;

12 7-313.

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

14 (3) payment to the Board of a REINSTATEMENT fee [of \$5] SET BY THE
15 BOARD.

16 8-101.

17 (a) In this title the following words have the meanings indicated.

18 (b) "Board" means the State Board of Certified Interior Designers.

19 (c) "Certificate" means a certificate issued by the Board to use the title
20 "certified interior designer".

21 (D) "CERTIFICATE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN
22 CONNECTION WITH THE ISSUANCE AND RENEWAL OF A CERTIFICATE AND ISSUANCE
23 OF A RECIPROCAL CERTIFICATE.

24 [(d)] (E) "Certified interior designer" means an interior designer who is
25 certified by the Board.

26 [(e)] (F) "Certified interior design services" means interior design services
27 provided by a certified interior designer.

28 [(f)] (G) "Interior design services" means rendering or offering to render
29 services for a fee or other valuable consideration, in the preparation and
30 administration of interior design documents (including drawings, schedules and
31 specifications) which pertain to the planning and design of interior spaces including
32 furnishings, layouts, fixtures, cabinetry, lighting fixtures, finishes, materials, and
33 interior construction not materially related to or materially affecting the building
34 systems, all of which shall comply with applicable laws, codes, regulations, and
35 standards. The scope of work described herein shall not be construed as authorizing
36 the planning and design of engineering and architectural interior construction as

1 related to the building systems, including structural, electrical, plumbing, heating,
2 ventilating, air conditioning or mechanical systems and shall not be construed as
3 authorizing the practice of architecture or engineering as defined in Title 3 or Title 14
4 of this article. The interior design plans as described above are not to be construed as
5 those architectural plans which may be required to be filed with any county or
6 municipality.

7 [8-207.

8 (a) The Board shall set reasonable fees for the issuance and renewal of a
9 certificate.

10 (b) Except as otherwise provided by law, the Board shall pay all money
11 collected under this title into the General Fund of the State.

12 (c) The Board shall publish annually a list including the name and address of
13 each individual:

14 (1) who has been certified; or

15 (2) whose certificate has been suspended or revoked within 3 years
16 before the publication.]

17 8-207.

18 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

19 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
20 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
21 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
22 BUSINESS REGULATION ARTICLE.

23 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
24 REGULATION.

25 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
26 THE COMPTROLLER OF THE STATE.

27 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
28 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
29 THE BUSINESS REGULATION ARTICLE.

30 (D) THE BOARD SHALL PUBLISH ANNUALLY A LIST INCLUDING THE NAME
31 AND ADDRESS OF EACH INDIVIDUAL:

32 (1) WHO HAS BEEN CERTIFIED; OR

33 (2) WHOSE CERTIFICATE HAS BEEN SUSPENDED OR REVOKED WITHIN 3
34 YEARS BEFORE THE PUBLICATION.

1 8-302.

2 (d) The applicant shall:

3 (1) file an application and pay [an] A NONREFUNDABLE application fee
4 in accordance with § 8-303 of this subtitle;

5 8-303.

6 An applicant for a certificate shall:

7 (1) submit an application to the Board on the form that the Board
8 provides; and

9 (2) pay to the Board [an] A NONREFUNDABLE application fee set by the
10 Board.

11 8-304.

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

13 (1) pays TO THE BOARD:

14 (I) the NONREFUNDABLE application fee set by the Board [under §
15 8-303 of this subtitle]; and

16 (II) THE CERTIFICATE FEE SET BY THE BOARD; AND

17 8-305.

18 On payment of the certificate fee SET BY THE BOARD, the Board shall issue a
19 certificate to each applicant who meets the requirements of this subtitle for a
20 certificate.

21 8-307.

22 (b) At least 30 days before the certificate expires, the Board shall mail to the
23 certificate holder, at the last known address of the certificate holder:

24 (3) the amount of the [renewal] CERTIFICATE fee.

25 (c) Before the certificate expires, the certificate holder periodically may renew
26 it for an additional 2-year term, if the certificate holder:

27 (2) pays to the Board a [renewal] CERTIFICATE fee set by the Board;

28 8-309.

29 The Board shall reinstate the certificate of an interior designer who has failed to
30 renew the certificate for any reason if the interior designer:

1 (1) meets the renewal requirements[, including payment of a renewal
2 fee,] under § 8-307 of this subtitle;

3 (2) pays to the Board the reinstatement fee as set by the Board;

4 (3) submits to the Board a reinstatement application on the form that
5 the Board provides; and

6 (4) earns two continuing education units in courses approved by the
7 Board in a 2-year period immediately preceding the request for reinstatement.

8 9-101.

9 (a) In this title the following words have the meanings indicated.

10 (b) "Board" means the State Board of Examiners of Landscape Architects.

11 (c) "Landscape architect" means an individual who practices landscape
12 architecture.

13 (d) "License" means, unless the context requires otherwise, a license issued by
14 the Board to practice landscape architecture.

15 (E) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
16 WITH THE ISSUANCE AND RENEWAL OF A LICENSE OR THE ISSUANCE OF A
17 RECIPROCAL LICENSE.

18 [(e)] (F) "Licensed landscape architect" means a landscape architect who is
19 licensed by the Board to practice landscape architecture.

20 [(f)] (G) "Permit" means a permit issued by the Board to allow a partnership
21 or corporation to operate a business through which an individual may practice
22 landscape architecture.

23 (H) "PERMIT FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
24 WITH THE ISSUANCE AND RENEWAL OF A PERMIT.

25 [(g)] (I) (1) "Practice landscape architecture" means:

26 (i) to plan, to design, to prepare drawings and specifications, to
27 consult, or to provide any other professional service, including responsible
28 supervision, in connection with the development of land if the principal purpose of the
29 service is:

30 1. to determine, to enhance, or to preserve land uses, natural
31 land features, plantings, or settings and approaches to structures or other
32 improvements;

33 2. to determine an environmental problem of land, including
34 erosion, blight, or other hazard;

1 (I) TO THE BOARD A NONREFUNDABLE APPLICATION FEE SET BY
2 THE BOARD; AND

3 (II) to the Board or the Board's designee an examination fee set by
4 the Board in an amount not to exceed the cost of the required examination.

5 9-306.

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

7 (1) pays TO THE BOARD the NONREFUNDABLE application fee set by the
8 Board [not exceeding \$50]; and

9 9-309.

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

12 (2) a notice that states:

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

14 (ii) the date by which the Board 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] LICENSE fee.

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

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

20 9-310.

21 (a) Subject to the hearing provisions of § 9-312 of this subtitle, the Board, on
22 the affirmative vote of a majority of its members then serving, may deny a license to
23 any applicant, reprimand any licensee, or suspend or revoke a license if:

24 (5) the applicant or licensee has had a license to practice landscape
25 architecture in another state revoked or suspended by the other state for a cause that
26 would justify revocation or suspension under this title, except for the failure to pay a
27 license [or license renewal] fee;

28 9-313.

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

30 (2) payment to the Board of a reinstatement fee [of \$100] SET BY THE
31 BOARD.

1 9-314.

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

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

6 (2) meets the renewal requirements of § 9-309 of this subtitle [and pays
7 to the Board all past due renewal fees]; and

8 (3) pays to the Board a reinstatement fee [of \$100, in addition to all past
9 due renewal fees] SET BY THE BOARD.

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

13 (i) require the individual to reapply for a license in the same
14 manner that an applicant applies for an original license under this subtitle; or

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

16 (2) The Board may reinstate a license under paragraph (1)(ii) of this
17 subsection, if the individual:

18 (i) meets the renewal requirements of § 9-309 of this subtitle [and
19 pays to the Board all past due renewal fees];

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

22 (iii) pays to the Board a reinstatement fee [of \$100, in addition to all
23 past due renewal fees required] SET BY THE BOARD.

24 9-405.

25 (a) An applicant for a permit shall:

26 (2) pay to the Board the NONREFUNDABLE application fee set by the
27 Board.

28 9-406.

29 The Board shall issue a permit to each applicant who meets the requirements of
30 this subtitle AND PAYS TO THE BOARD A PERMIT FEE SET BY THE BOARD.

31 9-408.

32 (b) At least 1 month before a permit expires, the Board shall mail to the
33 permit holder, at the last known address of the holder:

1 (2) a notice that states:

2 (i) the date on which the current permit expires;

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

5 (iii) the amount of the [renewal] PERMIT fee.

6 (c) Before a permit expires, the permit holder periodically may renew it for an
7 additional 2-year term, if the holder:

8 (2) pays to the Board the [renewal] PERMIT fee set by the Board; and

9 11-101.

10 (a) In this title the following words have the meanings indicated.

11 (b) "Apprentice pilot" means an individual who is engaged in training, under
12 the supervision of a licensed pilot, to provide pilotage.

13 (c) "Association" means the Association of Maryland Pilots.

14 (d) "Board" means the State Board of Pilots.

15 (e) (1) "License" means, unless the context requires otherwise, a license
16 issued by the Board to provide pilotage.

17 (2) "License" includes, unless the context requires otherwise, a limited
18 license.

19 (F) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
20 WITH THE ISSUANCE AND RENEWAL OF A LICENSE.

21 [(f)] (G) (1) "Licensed pilot" means a pilot who is licensed by the Board to
22 provide pilotage.

23 (2) "Licensed pilot" includes the holder of a limited license.

24 [(g)] (H) (1) "Limited license" means a license issued by the Board to provide
25 pilotage as limited by § 11-407 of this title.

26 (2) "Limited license" includes a 37-foot-draft limited license, a
27 34-foot-draft limited license, and a 28-foot-draft limited license.

28 [(h)] (I) "Pilot" means an individual who provides pilotage.

29 [(i)] (J) (1) "Provide pilotage" means to pilot a vessel under the provisions
30 of this title when the vessel is underway on the navigable waters of the State,
31 including when the vessel is towing or being towed by another vessel.

- 1 (2) "Provide pilotage" does not include:
- 2 (i) maneuvering a vessel during berthing or unberthing
3 operations; or
- 4 (ii) shifting a vessel within a port with tug assistance and a docking
5 master aboard the vessel.

6 11-206.

7 [(a) The Board shall receive all fees and other charges collectible under §§
8 11-406 and 11-408 of this title.]

9 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

10 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
11 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
12 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
13 BUSINESS REGULATION ARTICLE.

14 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
15 REGULATION.

16 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
17 THE COMPTROLLER OF THE STATE.

18 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
19 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
20 THE BUSINESS REGULATION ARTICLE.

21 [(b)] (D) The compensation of the Board shall be payable only out of the money
22 that the Board collects.

23 11-405.

24 To apply for a license, an applicant shall submit to the Board an application on
25 the form that the Board provides AND A NONREFUNDABLE APPLICATION FEE SET BY
26 THE BOARD.

27 11-406.

28 (a) If an applicant qualifies for a license under this subtitle, the Board shall
29 send the applicant a notice that states that:

30 (2) the Board will issue the appropriate license to an applicant on receipt
31 of a license fee [of:

32 (i) \$600 for a license other than a limited license;

33 (ii) \$300 for a 37-foot-draft limited license;

- 1 (iii) \$300 for a 34-foot-draft limited license; or
2 (iv) \$200 for a 28-foot-draft limited license] SET BY THE BOARD.

3 11-408.

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

6 (2) a notice that states:

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

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

10 (iii) the amount of the [renewal] LICENSE fee SET BY THE BOARD.

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

13 (3) pays to the Board a [renewal] LICENSE fee [of:

14 (i) \$600 for a license other than a limited license;

15 (ii) \$300 for a 37-foot-draft limited license;

16 (iii) \$300 for a 34-foot-draft limited license; or

17 (iv) \$200 for a 28-foot-draft limited license] SET BY THE BOARD;

18 and

19 12-101.

20 (a) In this title the following words have the meanings indicated.

21 (b) "Apprentice natural gas fitter" means, unless the context requires
22 otherwise, an individual who is licensed by the Board to assist a master natural gas
23 fitter in providing natural gas services while:

24 (1) under the direction and control of the master natural gas fitter; and

25 (2) in training to become a journeyman natural gas fitter.

26 (c) "Apprentice plumber" means, unless the context requires otherwise, an
27 individual who is licensed by the Board to assist a master plumber or a holder of a
28 limited master plumber license in providing plumbing services while:

29 (1) under the direction and control of the master plumber or holder of the
30 limited master plumber license; and

1 (2) in training to become a journey plumber.

2 (d) "Board" means the State Board of Plumbing.

3 (e) "Certified propane gas fitter" means an individual who has been certified
4 by the Board to provide propane gas services.

5 (f) "Gas" means natural gas, propane gas, or any other gas used for any
6 purpose, including residential, medical, commercial, or industrial purposes.

7 (g) "Journey plumber" means, unless the context requires otherwise, an
8 individual who is licensed by the Board to provide plumbing services while under the
9 direction and control of a master plumber or holder of a limited master plumber
10 license.

11 (h) "Journeyman natural gas fitter" means, unless the context requires
12 otherwise, an individual who is licensed by the Board to provide natural gas services
13 while under the direction and control of a master natural gas fitters license.

14 (i) (1) "License" means, unless the context requires otherwise, a license
15 issued by the Board to:

- 16 (i) provide plumbing services;
- 17 (ii) assist in providing plumbing services;
- 18 (iii) provide propane gas services; or
- 19 (iv) provide natural gas services.

20 (2) "License" includes, unless the context requires otherwise, each of the
21 following licenses:

- 22 (i) a master plumber license;
- 23 (ii) a journey plumber license;
- 24 (iii) an apprentice plumber license;
- 25 (iv) a limited license;
- 26 (v) a propane gas fitter certificate;
- 27 (vi) a master natural gas fitters license;
- 28 (vii) a journeyman natural gas fitters license; and
- 29 (viii) an apprentice natural gas fitters license.

1 (J) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
2 WITH THE ISSUANCE AND RENEWAL OF A CERTIFICATE, LICENSE, AND LIMITED
3 LICENSE AND THE ISSUANCE OF A RECIPROCAL LICENSE.

4 [(j)] (K) (1) "Limited license" means a license issued by the Board as limited
5 by § 12-310 of this title to:

6 (i) provide plumbing services as a master plumber; or

7 (ii) provide plumbing services as a journey plumber.

8 (2) "Limited license" includes:

9 (i) a limited master plumber license; and

10 (ii) a limited journey plumber license.

11 [(k)] (L) "Master natural gas fitter" means, unless the context requires
12 otherwise, an individual who is licensed by the Board to provide natural gas services.

13 [(l)] (M) (1) "Master plumber" means, unless the context requires otherwise,
14 an individual who is licensed by the Board to provide plumbing services and natural
15 gas services.

16 (2) "Master plumber" includes a master plumber gas fitter.

17 [(m)] (N) (1) "Provide natural gas services" means the installation,
18 maintenance, extension, alteration, and removal of piping, gas-fired equipment,
19 appliances, or appurtenances in connection with a natural gas supply system
20 downstream of the gas utility point of delivery.

21 (2) "Provide natural gas services" does not include the installation,
22 maintenance, extension, alteration, or removal of any of the following with respect to
23 the plumbing water supply and drainage system:

24 (i) fixtures that require additional energy sources, including
25 clothes washers, dishwashers, food grinders, humidifiers, ice pumps, sterilizers,
26 water coolers, and water heaters; and

27 (ii) operational devices, including aerators, backflow preventers,
28 expansion tanks, filters, flow controls, heat exchangers, interceptors, meters,
29 separators, and relief valves.

30 [(n)] (O) (1) "Provide plumbing services" means to install, maintain, extend,
31 alter, or remove piping, a plumbing fixture, a plumbing appliance, a plumbing
32 appurtenance, or other plumbing apparatus:

33 (i) within or adjacent to a building, structure, or property; and

34 (ii) in connection with:

1 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
2 BUSINESS REGULATION ARTICLE.

3 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
4 REGULATION.

5 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
6 THE COMPTROLLER OF THE STATE.

7 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
8 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
9 THE BUSINESS REGULATION ARTICLE.

10 12-303.

11 An applicant for a license shall:

12 (1) submit to the Board an application on the form that the Board
13 provides AND A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD; and

14 (2) except as otherwise provided in this subtitle, pay to the Board or the
15 Board's designee an examination fee[:

16 (i) for a master plumber license, a journey plumber license, or a
17 master natural gas fitters license,] in an amount set by the Board, not to exceed the
18 cost of the required examination [;

19 (ii) for an apprentice plumber license or apprentice natural gas
20 fitters license of \$15;

21 (iii) for a propane gas fitter certificate of \$25;

22 (iv) for a journeyman natural gas fitters license of \$25; or

23 (v) for a master natural gas fitters license without examination of
24 \$50].

25 12-306.

26 (a) If an applicant qualifies for a journey plumber license, a master plumber
27 license, a limited license, a master natural gas fitters license, a journeyman natural
28 gas fitters license, an apprentice natural gas fitters license, or a propane gas fitter
29 certificate under this subtitle, the Board shall send the applicant a notice that states
30 that:

31 (2) the Board will issue a license to the applicant on receipt of:

32 (i) if contracting in the name of the applicant or another person to
33 provide plumbing services, proof of the liability insurance as required under § 12-501
34 of this title; and

- 1 (ii) a license fee SET BY THE BOARD [of:
 2 1. \$70 for a master plumber license or a limited master
 3 plumber license;
 4 2. \$35 for a journey plumber license or a limited journey
 5 plumber license;
 6 3. \$35 for a propane gas fitter certificate;
 7 4. \$70 for a master natural gas fitters license; or
 8 5. \$35 for a journeyman natural gas fitters license].

9 (b) On payment of the [appropriate] license fee and, if applicable, receipt of
 10 the proof of the insurance required under § 12-501 of this title, the Board shall issue
 11 a license to each applicant who meets the requirements of this subtitle.

12 12-308.

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

- 15 (2) a notice that states:
 16 (i) the date on which the current license expires;
 17 (ii) the date by which the Board must receive the renewal
 18 application for the renewal to be issued and mailed before the license expires; and
 19 (iii) the amount of the [renewal] LICENSE fee SET BY THE BOARD.

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

- 22 (2) pays to the Board a [renewal] LICENSE fee [of:
 23 (i) \$70 for a master plumber license or a limited master plumber
 24 license;
 25 (ii) \$35 for a journey plumber license or a limited journey plumber
 26 license;
 27 (iii) \$15 for an apprentice plumber license or apprentice natural gas
 28 fitters license;
 29 (iv) \$35 for a propane gas fitter certificate;
 30 (v) \$35 for a master natural gas fitters license; or

1 (vi) \$25 for a journeyman natural gas fitters license] SET BY THE
2 BOARD; and

3 12-310.

4 (a) Subject to the limitations in this section, the Board may issue a limited
5 license to provide plumbing services as a master plumber or a journey plumber to any
6 applicant who:

7 (4) pays the appropriate NONREFUNDABLE application fee AND THE
8 LICENSE FEE under § 12-303 of this subtitle for:

9 (i) a master plumber license; or

10 (ii) a journey plumber license; and

11 14-101.

12 (a) In this title the following words have the meanings indicated.

13 (b) "Board" means the State Board for Professional Engineers.

14 (c) "Engineer" means an individual who practices engineering.

15 (d) (1) "License" means, unless the context requires otherwise, a license
16 issued by the Board to practice engineering.

17 (2) "License" includes, unless the context requires otherwise, a limited
18 license.

19 (E) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
20 WITH THE ISSUANCE AND RENEWAL OF A LICENSE AND THE ISSUANCE OF A LIMITED
21 LICENSE AND RECIPROCAL LICENSE.

22 [(e)] (F) "Limited license" means a license issued by the Board to practice
23 engineering as limited by § 14-316 of this title.

24 [(f)] (G) (1) "Practice engineering" means to provide any service or creative
25 work the performance of which requires education, training, and experience in the
26 application of:

27 (i) special knowledge of the mathematical, physical, and
28 engineering sciences; and

29 (ii) the principles and methods of engineering analysis and design.

30 (2) In regard to a building or other structure, machine, equipment,
31 process, works, system, project, or public or private utility, "practice engineering"
32 includes:

33 (i) consultation;

- 1 (ii) design;
- 2 (iii) evaluation;
- 3 (iv) inspection of construction to ensure compliance with
4 specifications and drawings;
- 5 (v) investigation; and
- 6 (vi) planning.
- 7 (3) "Practice engineering" does not include:
- 8 (i) operating or maintaining machinery or other equipment;
- 9 (ii) practicing geodetic surveying;
- 10 (iii) practicing cartography;
- 11 (iv) practicing geological engineering;
- 12 (v) appraising real property; or
- 13 (vi) executing as a contractor or supervising as an employee of the
14 contractor the work designed by a professional engineer.

15 [(g)] (H) "Professional engineer" means, unless the context requires otherwise,
16 an engineer who is licensed by the Board to practice engineering.

17 [(h)] (I) (1) "Responsible charge" means direct control and personal
18 supervision of engineering that requires initiative, professional skill, and
19 independent judgment.

20 (2) "Responsible charge" includes responsible engineering teaching.

21 14-207.

22 (a) On request of any person and payment of a VERIFICATION fee [of \$10] SET
23 BY THE BOARD, the Board shall certify the licensing status and qualifications of any
24 individual who is the subject of the request.

25 (b) Each certification under this section:

26 (1) shall include a statement of the licensing status of the individual who
27 is the subject of the request; and

28 (2) may include:

29 (i) information about the examination results and other
30 qualifications of that individual;

1 (ii) information about the dates of issuance and renewal of the
2 license of that individual;

3 (iii) information about any disciplinary action taken against that
4 individual; and

5 (iv) if authorized by that individual, information about any
6 complaint against that individual.

7 [(c) The Board shall collect a fee of \$10 for each certification under this
8 section.]

9 [14-209.

10 (a) Except for the fees specifically set by this title, the Board may set the fees
11 for which this title provides for the issuance and renewal of licenses and its other
12 services.

13 (b) Except as otherwise provided by law, the Board shall pay all money
14 collected under this title into the General Fund of the State.]

15 14-209.

16 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

17 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
18 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
19 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
20 BUSINESS REGULATION ARTICLE.

21 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
22 REGULATION.

23 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
24 THE COMPTROLLER OF THE STATE.

25 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
26 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
27 THE BUSINESS REGULATION ARTICLE.

28 14-306.

29 (a) An applicant for a license shall:

30 (2) [except as otherwise provided in § 14-311 of this subtitle,] pay:

31 (I) TO THE BOARD A NONREFUNDABLE APPLICATION FEE SET BY
32 THE BOARD; AND

33 (II) to the Board or the Board's designee an examination fee set by
34 the Board in an amount not to exceed the cost of the required examinations.

1 14-310.

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

3 (i) submit to the Board an application on the form that the Board
4 provides; and

5 (ii) pay:

6 A. TO THE BOARD A NONREFUNDABLE APPLICATION FEE
7 SET BY THE BOARD; AND

8 B. to the Board or the Board's designee an examination fee
9 set by the Board in an amount not to exceed the cost of the examination.

10 (e) If an individual passes a fundamentals of engineering examination under
11 this section and pays the Board a certification fee [of \$15] SET BY THE BOARD, the
12 Board shall:

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

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

17 (i) the full name of the individual;

18 (ii) a certificate number assigned by the Board to the individual;
19 and

20 (iii) the signatures of the chairman and secretary of the Board,
21 under seal of the Board.

22 14-311.

23 (b) The Board may issue a license under this section only if the applicant:

24 (2) pays to the Board:

25 (I) A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD;
26 AND

27 (II) a license fee [of \$100 in lieu of any fee required under § 14-312
28 of this subtitle] SET BY THE BOARD; and

29 14-312.

30 (a) If an applicant qualifies for a license under this subtitle, the Board shall
31 send the applicant a notice that states that:

1 (2) on receipt of a [\$20] license fee SET BY THE BOARD, the Board will
2 issue a license to the applicant.

3 (d) Subject to any regulation that the Board adopts, it shall replace any lost,
4 mutilated, or destroyed license certificate on:

5 (2) payment of the replacement fee set by the Board[, not exceeding
6 \$35].

7 14-314.

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

10 (i) a renewal application form; and

11 (ii) a notice that states:

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

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

15 3. the amount of the [renewal] LICENSE fee.

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

18 (2) pays to the Board a [renewal] LICENSE fee [of \$20] SET BY THE
19 BOARD; and

20 14-315.

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

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

25 (2) meets the renewal requirements of § 14-314 of this subtitle [and
26 pays to the Board all past due renewal fees]; and

27 (3) except as otherwise provided in subsection (c) of this section, pays to
28 the Board a reinstatement fee [of \$100, in addition to all past due renewal fees] SET
29 BY THE BOARD.

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

32 (i) meets the renewal requirements of § 14-314 of this subtitle
33 [and pays to the Board all past due renewal fees];

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

3 (iii) except as otherwise provided in subsection (c) of this section,
4 pays to the Board a reinstatement fee [of \$100, in addition to all past due renewal
5 fees] SET BY THE BOARD.

6 14-316.

7 (a) The Board may issue a limited license to practice engineering on a specific
8 job to any applicant who:

9 (5) pays to the Board [an application] A LICENSE fee [not exceeding
10 \$25, as] set by the Board.

11 14-317.

12 (a) Subject to the hearing provisions of § 14-319 of this subtitle, the Board, on
13 the affirmative vote of a majority of its members then serving, may deny a license to
14 any applicant, reprimand any licensee, or suspend or revoke a license if:

15 (5) the applicant or licensee has had a license to practice engineering in
16 another state revoked or suspended by the other state for a cause that would justify
17 revocation or suspension under this title, except for the failure to pay a license [or
18 license renewal] fee;

19 14-320.

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

21 (2) payment to the Board of a reinstatement fee [of \$100] SET BY THE
22 BOARD.

23 15-101.

24 (a) In this title the following words have the meanings indicated.

25 (b) "Board" means the State Board for Professional Land Surveyors.

26 (c) "Land surveyor" means an individual who practices land surveying.

27 (d) (1) "License" means, unless the context requires otherwise, a license
28 issued by the Board to practice:

29 (i) land surveying; or

30 (ii) property line surveying.

31 (2) "License" includes, unless the context requires otherwise:

32 (i) a license to practice land surveying;

- 1 (ii) a license to practice property line surveying;
- 2 (iii) a limited license issued under § 15-316 of this title; and
- 3 (iv) a temporary license issued under § 15-317 of this title.

4 (E) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
5 WITH THE ISSUANCE AND RENEWAL OF A LICENSE AND THE ISSUANCE OF A LIMITED
6 LICENSE, TEMPORARY LICENSE, AND RECIPROCAL LICENSE.

7 [(e)] (F) "Licensed property line surveyor" means, unless the context requires
8 otherwise, a property line surveyor who is licensed by the Board to practice property
9 line surveying.

10 [(f)] (G) "Permit" means, unless the context requires otherwise, a permit
11 issued by the Board to allow a corporation or partnership to operate a business
12 through which an individual may practice land surveying or property line surveying.

13 (H) "PERMIT FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
14 WITH THE ISSUANCE AND RENEWAL OF A PERMIT.

15 [(g)] (I) (1) "Practice land surveying" means any service, work,
16 documentation, or practice, the performance or preparation of which requires the
17 application of special knowledge of the principles of mathematics, the related physical
18 and applied sciences, and the requirements of the relevant law, as applied to:

19 (i) measuring, platting, and locating lines, angles, elevations,
20 natural or artificial features in the air, on the surface of the earth, in underground
21 work, and on the beds of bodies of water for the purpose of determining and reporting
22 positions, topography, areas, and volumes;

23 (ii) the platting or replatting, establishing or reestablishing,
24 locating or relocating, or setting or resetting the monumentation for boundaries of
25 real property, easements, or rights-of-way;

26 (iii) platting, layout, and preparation of surveys, plats, plans, and
27 drawings, including:

- 28 1. site plans;
- 29 2. subdivision plans;
- 30 3. subdivision plats;
- 31 4. condominium plats;
- 32 5. right-of-way and easement plats; and
- 33 6. other recordable plats;

1 (iv) conducting horizontal and vertical control surveys, layout or
 2 stake-out of proposed construction, and the preparation and platting of
 3 as-constructed surveys;

4 (v) utilizing measurement devices or systems, such as aerial
 5 photogrammetry, global positioning systems, land information systems, geographic
 6 information systems, or similar technology for evaluation or location of boundaries of
 7 real property, easements, or rights-of-way; and

8 (vi) in conjunction with the site development or subdivision of land,
 9 the preparation and design of plans for the following projects, provided that such
 10 preparation and design are in accordance with design manuals, details, and
 11 standards accepted by the State or local authority:

- 12 1. road and street grades;
- 13 2. sediment and erosion control measures;
- 14 3. nonpressurized closed storm drainage and stormwater
 15 management systems; and
- 16 4. open conduit storm drainage and stormwater
 17 management systems.

18 (2) "Practice land surveying" does not include the design, preparation, or
 19 specifications for:

20 (i) community water or wastewater treatment collection or
 21 distribution systems;

22 (ii) community pumping or lift stations; or

23 (iii) geotechnical or structural design components of sediment
 24 control or stormwater management ponds or basins.

25 [(h)] (J) (1) "Practice property line surveying" means to practice land
 26 surveying, except for the services excluded under paragraph (2) of this subsection.

27 (2) "Practice property line surveying" does not include the performance
 28 of the services described in subsection [(g)(1)(vi)] (I)(1)(VI) of this section.

29 [(i)] (K) "Professional land surveyor" means, unless the context requires
 30 otherwise, a land surveyor who is licensed by the Board to practice land surveying.

31 [(j)] (L) "Property line surveyor" means an individual who practices property
 32 line surveying.

33 [(k)] (M) "Responsible charge" means direct control and personal direction of
 34 the investigation, design, construction, or operation of land surveying work that
 35 requires initiative, professional skill, and independent judgment.

1 15-207.

2 (a) On request of any person and payment of a VERIFICATION fee [of \$10] SET
3 BY THE BOARD, the Board shall certify the licensing or permit status and
4 qualifications of any person who is the subject of the request.

5 (b) Each certification under this section:

6 (1) shall include a statement of the licensing or permit status of the
7 person who is the subject of the request; and

8 (2) may include:

9 (i) information about the examination results and other
10 qualifications of that person;

11 (ii) information about the dates of issuance and renewal of the
12 license or permit of that person;

13 (iii) information about any disciplinary action taken against that
14 person; and

15 (iv) if authorized by that person, information about any complaint
16 against that person.

17 [(c) The Board shall collect a fee of \$10 for each certification under this
18 section.]

19 [15-209.

20 Except as otherwise provided by law, the Board shall pay all money collected
21 under this title into the General Fund of the State.]

22 15-209.

23 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

24 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
25 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
26 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
27 BUSINESS REGULATION ARTICLE.

28 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD BY
29 REGULATION.

30 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
31 THE COMPTROLLER OF THE STATE.

32 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
33 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
34 THE BUSINESS REGULATION ARTICLE.

1 15-306.

2 (a) An applicant for a license shall:

3 (2) [except as otherwise provided in § 15-311(b) of this subtitle,] pay:

4 (I) TO THE BOARD A NONREFUNDABLE APPLICATION FEE SET BY
5 THE BOARD; AND

6 (II) to the Board or the Board's designee an examination fee set by
7 the Board in an amount not to exceed the cost of the required examinations.

8 15-311.

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

10 (2) pays to the Board:

11 (I) THE NONREFUNDABLE APPLICATION FEE SET BY THE BOARD
12 UNDER § 15-306 OF THIS TITLE; AND

13 (II) the license fee [required] SET BY THE BOARD under [§
14 15-312(a)(2)(i)] § 15-312(A)(2) of this subtitle; and

15 15-312.

16 (a) If an applicant qualifies for a license under this subtitle, the Board shall
17 send the applicant a notice that states that:

18 (2) the Board will issue a license to the applicant, on receipt of a license
19 fee [of:

20 (i) \$60 for a license to practice land surveying; and

21 (ii) \$20 for a license to practice property line surveying] SET BY
22 THE BOARD.

23 (b) On payment of the [appropriate] license fee, the Board shall issue a
24 license to each applicant who meets the requirements of this subtitle.

25 (d) Subject to any regulation that the Board adopts, it shall replace any lost,
26 mutilated, or destroyed license certificate on:

27 (1) request of the licensee; and

28 (2) payment of the replacement fee set by the Board[, not exceeding
29 \$35].

1 15-314.

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

4 (i) a renewal application form; and

5 (ii) a notice that states:

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

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

9 3. the amount of the [renewal] LICENSE fee.

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

12 (2) pays to the Board a [renewal] LICENSE fee [of:

13 (i) \$60 for a license to practice land surveying; or

14 (ii) \$40 for a license to practice property line surveying] SET BY
15 THE BOARD; and

16 15-315.

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

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

21 (2) meets the renewal requirements of § 15-314 of this subtitle [and
22 pays to the Board all past due renewal fees]; and

23 (3) except as otherwise provided in subsection (d) of this section, pays to
24 the Board a reinstatement fee [of \$100, in addition to all past due renewal fees] SET
25 BY THE BOARD.

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

28 (i) meets the renewal requirements of § 15-314 of this subtitle
29 [and pays to the Board all past due renewal fees];

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

1 (iii) except as otherwise provided in subsection (d) of this section,
2 pays to the Board a reinstatement fee [of \$100] SET BY THE BOARD.

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

5 (i) meets the renewal requirements of § 15-314 of this subtitle
6 [and pays to the Board all past due renewal fees];

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

9 (iii) except as otherwise provided in subsection (d) of this section,
10 pays to the Board a reinstatement fee [of \$100, in addition to all past due renewal
11 fees] SET BY THE BOARD.

12 15-316.

13 (a) The Board may issue a limited license to practice land surveying on a
14 specific job to any applicant who:

15 (5) pays to the Board [an application] A LICENSE fee [of \$25] SET BY
16 THE BOARD UNDER § 15-312 OF THIS TITLE.

17 15-317.

18 (a) The Board may issue a temporary license to practice land surveying to any
19 applicant who:

20 (5) pays to the Board[an application] A LICENSE fee [of \$25] SET BY
21 THE BOARD UNDER § 15-312 OF THIS TITLE.

22 15-318.

23 (a) Subject to the hearing provisions of § 15-320 of this subtitle, the Board, on
24 the affirmative vote of a majority of its members then serving, may deny a license to
25 any applicant, reprimand any licensee, or suspend or revoke a license if:

26 (7) the applicant or licensee has had a license to practice land surveying
27 or property line surveying in another state revoked or suspended by the other state
28 for a cause that would justify revocation or suspension under this title, except for the
29 failure to pay a license [or license renewal] fee.

30 15-321.

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

32 (1) the affirmative vote of a majority of the members of the Board then
33 serving; and

1 (2) payment to the Board of a reinstatement fee [of \$100] SET BY THE
2 BOARD.

3 15-403.

4 An applicant for a permit shall:

5 (1) submit to the Board an application on the form that the Board
6 provides; and

7 (2) pay to the Board [an] A NONREFUNDABLE application fee [of \$150]
8 SET BY THE BOARD UNDER § 15-306 OF THIS TITLE.

9 15-404.

10 The Board shall issue a permit to each applicant who meets the requirements of
11 this subtitle AND PAYS TO THE BOARD A PERMIT FEE SET BY THE BOARD.

12 15-406.

13 (b) At least 1 month before a permit expires, the Board shall mail to the
14 permit holder, at the last known address of the holder:

15 (2) a notice that states:

16 (i) the date on which the current permit expires;

17 (ii) the date by which the Board must receive the renewal
18 application for the renewal to be issued and mailed before the permit expires; and

19 (iii) the amount of the [renewal] PERMIT fee.

20 (c) Before a permit expires, the permit holder periodically may renew it for an
21 additional 2-year term, if the holder:

22 (2) pays to the Board a [renewal] PERMIT fee [of \$150] SET BY THE
23 BOARD.

24 16-101.

25 (a) In this title the following words have the meanings indicated.

26 (b) (1) "Appraisal" means an analysis, conclusion, or opinion about the
27 nature, quality, utility, or value of interests in or aspects of identified real estate.

28 (2) "Appraisal" includes:

29 (i) a valuation appraisal;

30 (ii) an analysis assignment; and

1 (iii) a review assignment.

2 (3) "Appraisal" does not include an opinion to a potential seller or third
3 party by a person licensed under Title 17 of this article about the recommended
4 listing price or recommended purchase price of real estate, provided that the opinion
5 is not referred to as an appraisal.

6 (c) "Appraisal report" means any communication, oral or written, of an
7 appraisal.

8 (d) (1) "Certificate" means, unless the context requires otherwise, a
9 certificate issued by the Commission that allows an individual to provide certified
10 real estate appraisal services.

11 (2) "Certificate" includes, unless the context requires otherwise, each of
12 the following certificates:

13 (i) a certificate to provide certified real estate appraisal services
14 for general real estate; and

15 (ii) a certificate to provide certified real estate appraisal services
16 for residential real estate.

17 (E) "CERTIFICATION FEE" MEANS, AS APPLICABLE, THE FEE PAID IN
18 CONNECTION WITH THE ISSUANCE AND RENEWAL OF A CERTIFICATE AND THE
19 ISSUANCE OF A RECIPROCAL CERTIFICATE.

20 [(e)] (F) "Certified appraisal report" means an appraisal report prepared and
21 signed by a certified real estate appraiser.

22 [(f)] (G) (1) "Certified real estate appraiser" means, unless the context
23 requires otherwise, an individual who is certified by the Commission to provide
24 certified real estate appraisal services.

25 (2) "Certified real estate appraiser" includes:

26 (i) a certified real estate appraiser for general real estate; and

27 (ii) a certified real estate appraiser for residential real estate.

28 [(g)] (H) "Commission" means the State Commission of Real Estate
29 Appraisers.

30 [(h)] (I) "License" means, unless the context requires otherwise, a license
31 issued by the Commission to provide real estate appraisal services.

32 (J) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
33 WITH THE ISSUANCE AND RENEWAL OF A LICENSE AND THE ISSUANCE OF A
34 RECIPROCAL LICENSE.

1 [(i)] (K) "Licensed real estate appraiser" means an individual who is licensed
2 by the Commission to provide real estate appraisal services.

3 [(j)] (L) "Provide certified real estate appraisal services" means to provide
4 real estate appraisal services as a certified real estate appraiser.

5 [(k)] (M) "Provide real estate appraisal services" means to make for
6 consideration an appraisal of real estate or prepare or sign an appraisal report in
7 connection with a federally related transaction, as defined in the federal Financial
8 Institutions Reform, Recovery, and Enforcement Act of 1989.

9 [(l)] (N) (1) "Real estate" means any interest in real property that is located
10 in the State or elsewhere.

11 (2) "Real estate" includes:

12 (i) an interest in a condominium; and

13 (ii) a time-share estate or a time-share license, as those terms are
14 defined in § 11A-101 of the Real Property Article.

15 [(m)] (O) "Real estate appraiser trainee" means an individual who is licensed
16 by the Commission to provide real estate appraisal services while:

17 (1) under the supervision of a supervising appraiser; and

18 (2) in training to become a licensed real estate appraiser or certified real
19 estate appraiser.

20 [(n)] (P) "Supervising appraiser" means a licensed real estate appraiser or a
21 certified real estate appraiser who has the responsibility of supervising one or more
22 real estate appraiser trainees.

23 [(o)] (Q) (1) "Supervision" means the responsibility of a supervising
24 appraiser to provide on-site direction or immediately available direction, through
25 written instructions or by electronic means, to real estate appraiser trainees
26 performing real estate appraisal services.

27 (2) "Supervision" includes a supervising appraiser accepting direct
28 responsibility for a real estate appraisal prepared by the real estate appraiser trainee
29 while the trainee is under the supervising appraiser's direction on a specific appraisal
30 assignment.

31 [16-217.

32 Except as otherwise provided by law, the Commission shall pay all money
33 collected under this title into the General Fund of the State.]

34 16-217.

35 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

1 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
2 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
3 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
4 BUSINESS REGULATION ARTICLE.

5 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD BY
6 REGULATION.

7 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
8 THE COMPTROLLER OF THE STATE.

9 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
10 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
11 THE BUSINESS REGULATION ARTICLE.

12 16-303.

13 (a) An applicant for a license shall:

14 (2) pay to the Commission [an] A NONREFUNDABLE application fee as
15 established by the Commission.

16 16-306.

17 (a) The Commission shall grant a license to each applicant who:

18 (1) meets the requirements of this subtitle; AND

19 (2) PAYS THE LICENSE FEE SET BY THE COMMISSION.

20 16-308.

21 (b) At least 1 month before the license expires, the Commission shall send to
22 the licensee, at the last known address of the licensee:

23 (2) a notice that states:

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

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

27 (iii) the amount of the [renewal] LICENSE fee SET BY THE
28 COMMISSION.

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

31 (2) pays to the Commission a [renewal] LICENSE fee [of \$75] SET BY
32 THE COMMISSION; and

1 16-310.

2 The Commission shall reinstate the license of a real estate appraiser who has
3 failed to renew the license, if the real estate appraiser:

4 (1) applies to the Commission for reinstatement within 2 years after the
5 license expires;

6 (2) meets the requirements of § 16-308 of this subtitle; and

7 (3) [in addition to the renewal fee required under § 16-308 of this
8 subtitle,] pays to the Commission a reinstatement fee [of \$25] SET BY THE
9 COMMISSION.

10 16-505.

11 An applicant for a certificate shall:

12 (1) submit to the Commission an application on the form that the
13 Commission provides; and

14 (2) pay to the Commission [an] A NONREFUNDABLE application fee [of
15 \$100] SET BY THE COMMISSION.

16 16-508.

17 (a) The Commission shall grant the appropriate certificate to each applicant
18 who:

19 (1) meets the requirements of this subtitle; AND

20 (2) PAYS THE CERTIFICATION FEE SET BY THE COMMISSION.

21 16-510.

22 (c) Not earlier than 120 days and not later than 30 days before a certificate
23 expires, the certificate holder may renew it for an additional 3-year term, if the
24 certificate holder:

25 (2) pays to the Commission [at a minimum] a [renewal]
26 CERTIFICATION fee [of \$100] SET BY THE COMMISSION; and

27 16-511.

28 (g) (1) A real estate appraiser has a grace period of 6 months after the
29 certificate of the real estate appraiser expires in which to renew it retroactively, if:

30 (i) the real estate appraiser is otherwise entitled to have it
31 renewed;

1 (ii) the Commission determines that the real estate appraiser has
2 failed to meet the requirements for renewal through mistake, misunderstanding, or
3 circumstances beyond the control of the real estate appraiser; and

4 (iii) pays the [renewal] CERTIFICATION fee to the Commission.

5 16-512.

6 The Commission shall reinstate the certificate of a real estate appraiser who has
7 failed to renew the certificate during the regular term of the certificate or the grace
8 period, if the real estate appraiser:

9 (1) applies to the Commission for reinstatement within 2 years after the
10 certificate expires;

11 (2) meets the requirements of § 16-511 of this subtitle; and

12 (3) [in addition to the renewal fee required under § 16-511 of this
13 subtitle,] pays to the Commission a reinstatement fee [of \$25] SET BY THE
14 COMMISSION.

15 17-101.

16 (a) In this title the following words have the meanings indicated.

17 (b) "Affiliate" means, unless the context requires otherwise, to establish
18 between an individual and a real estate broker an employment or other contractual
19 relationship under which the individual is authorized to provide real estate brokerage
20 services on behalf of the real estate broker.

21 (c) "Associate real estate broker" means an individual:

22 (1) who meets the requirements for a real estate broker license under §
23 17-305 of this title but who applies for and is granted an associate real estate broker
24 license under §§ 17-307 and 17-309 of this title; and

25 (2) who, under the associate real estate broker license, may provide real
26 estate brokerage services on behalf of a licensed real estate broker with whom the
27 associate real estate broker is affiliated.

28 (d) "Commission" means the State Real Estate Commission.

29 (e) "Guaranty Fund" means a real estate guaranty fund established by the
30 Commission under § 17-402 of this title.

31 (f) "Hearing board" means a real estate hearing board appointed by the
32 Commission under § 17-325 of this title.

33 (g) (1) "License" means, unless the context requires otherwise, a license
34 issued by the Commission.

1 (2) "License" includes, unless the context requires otherwise:

2 (i) a real estate broker license;

3 (ii) an associate real estate broker license; and

4 (iii) a real estate salesperson license.

5 (H) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
6 WITH THE ISSUANCE AND RENEWAL OF A LICENSE, AND THE ISSUANCE OF A
7 RECIPROCAL LICENSE.

8 [(h)] (I) "Licensed associate real estate broker" means, unless the context
9 requires otherwise, an associate real estate broker who is licensed by the Commission
10 to provide real estate brokerage services on behalf of a licensed real estate broker
11 with whom the associate real estate broker is affiliated.

12 [(i)] (J) "Licensed real estate broker" means, unless the context requires
13 otherwise, a real estate broker who is licensed by the Commission to provide real
14 estate brokerage services.

15 [(j)] (K) "Licensed real estate salesperson" means, unless the context requires
16 otherwise, a real estate salesperson who is licensed by the Commission to provide real
17 estate brokerage services on behalf of a licensed real estate broker with whom the
18 real estate salesperson is affiliated.

19 [(k)] (L) "Provide real estate brokerage services" means to engage in any of
20 the following activities:

21 (1) for consideration, providing any of the following services for another
22 person:

23 (i) selling, buying, exchanging, or leasing any real estate; or

24 (ii) collecting rent for the use of any real estate;

25 (2) for consideration, assisting another person to locate or obtain for
26 purchase or lease any residential real estate;

27 (3) engaging regularly in a business of dealing in real estate or leases or
28 options on real estate;

29 (4) engaging in a business the primary purpose of which is promoting the
30 sale of real estate through a listing in a publication issued primarily for the promotion
31 of real estate sales;

32 (5) engaging in a business that subdivides land that is located in any
33 state and sells the divided lots; or

34 (6) for consideration, serving as a consultant regarding any activity set
35 forth in items (1) through (5) of this subsection.

1 [(l)] (M) "Licensee" means a licensed real estate broker, a licensed associate
2 real estate broker, or a licensed real estate salesperson.

3 [(m)] (N) (1) "Real estate" means any interest in real property that is located
4 in this State or elsewhere.

5 (2) "Real estate" includes:

6 (i) an interest in a condominium; and

7 (ii) a time-share estate or a time-share license, as those terms are
8 defined in § 11A-101 of the Real Property Article.

9 [(n)] (O) "Real estate broker" means an individual who provides real estate
10 brokerage services.

11 [(o)] (P) "Real estate salesperson" means an individual who, while affiliated
12 with and acting on behalf of a real estate broker, provides real estate brokerage
13 services.

14 [17-213.

15 Except as otherwise provided by law, the Commission shall pay all money
16 collected under this title into the General Fund of the State.]

17 17-213.

18 (A) (1) THE COMMISSION MAY SET REASONABLE FEES FOR ITS SERVICES.

19 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
20 APPROXIMATE THE COST OF MAINTAINING THE COMMISSION AND SHALL BE BASED
21 ON THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE
22 BUSINESS REGULATION ARTICLE.

23 (B) THE COMMISSION SHALL PUBLISH THE FEE SCHEDULE SET BY THE
24 COMMISSION BY REGULATION.

25 (C) (1) THE COMMISSION SHALL PAY ALL FEES COLLECTED UNDER THIS
26 TITLE TO THE COMPTROLLER OF THE STATE.

27 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
28 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
29 THE BUSINESS REGULATION ARTICLE.

30 17-306.

31 (d) To take an examination, an applicant shall pay:

32 (1) to the Commission, a [\$10 examination fee] NONREFUNDABLE
33 APPLICATION FEE SET BY THE COMMISSION; and

1 (2) to the Commission or a testing service chosen by the Commission, an
2 [amount covering the cost of the examination] EXAMINATION FEE SET BY THE
3 COMMISSION IN AN AMOUNT NOT TO EXCEED THE COST OF THE REQUIRED
4 EXAMINATION.

5 17-307.

6 An applicant for a license:

7 (4) shall pay to the Commission [an application] A LICENSE fee [of:

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

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

10 (iii) \$45 for a real estate salesperson license] SET BY THE
11 COMMISSION; and

12 17-308.

13 (b) The Commission may grant a waiver under this section only if the
14 applicant:

15 (1) pays [the] A NONREFUNDABLE application fee AND A LICENSE FEE
16 SET BY THE COMMISSION [required under § 17-307 of this subtitle for the license for
17 which the applicant is applying];

18 17-311.

19 (c) To transfer affiliation under this section, a qualified real estate
20 salesperson or associate real estate broker shall:

21 (5) pay to the Commission a transfer fee [of \$10] SET BY THE
22 COMMISSION.

23 17-312.

24 (g) To exchange a license for another license, a qualified licensee shall:

25 (5) pay to the Commission [an application fee of:

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

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

28 (iii) \$45 for a real estate salesperson license] A LICENSE FEE SET BY
29 THE COMMISSION; and

30 17-313.

31 (j) To obtain an additional license, a qualified licensee shall:

1 (4) pay to the Commission [an application 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] A LICENSE FEE SET BY
5 THE COMMISSION; and

6 17-314.

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

9 (i) a renewal application form; and
10 (ii) a notice that states:
11 1. the date on which the current license expires;
12 2. the date by which the Commission must receive the
13 renewal application for the renewal to be issued and mailed before the license expires;
14 and
15 3. the amount of the [renewal] LICENSE fee.

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

18 (2) pays to the Commission a [renewal] LICENSE fee [of:
19 (i) \$95 for a real estate broker license;
20 (ii) \$65 for an associate real estate broker license; or
21 (iii) \$45 for a real estate salesperson license] SET BY THE
22 COMMISSION;

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

25 (4) pays to the Commission[:
26 (i) all past due renewal fees; and
27 (ii)] a reinstatement fee [of \$100] SET BY THE COMMISSION.

1 17-316.

2 (e) (1) The Commission shall reactivate the license of a real estate broker
3 that is on inactive status and reissue a license certificate and pocket card to the
4 broker if the broker:

5 (i) requests that the license be reactivated;

6 (ii) pays to the Commission a reissuance fee [of \$10] SET BY THE
7 COMMISSION; and

8 (iii) meets the continuing education requirements that would have
9 been required for renewal of a license under § 17-315 of this subtitle if the license had
10 not been on inactive status.

11 (2) The Commission shall reactivate the license of an associate real
12 estate broker or a real estate salesperson that is on inactive status and reissue a
13 license certificate and pocket card to the associate broker or salesperson if the
14 associate broker or salesperson:

15 (i) requests that the license be reactivated;

16 (ii) pays to the Commission a reissuance fee [of \$10] SET BY THE
17 COMMISSION;

18 (iii) meets the continuing education requirements that would have
19 been required for renewal of a license under § 17-315 of this subtitle if the license had
20 not been on inactive status; and

21 (iv) submits to the Commission adequate evidence that the
22 associate broker or salesperson has obtained, from a licensed real estate broker, a
23 commitment providing that the associate broker or salesperson shall become
24 affiliated with the broker as an associate real estate broker or a real estate
25 salesperson on reactivation of the license of the associate broker or salesperson.

26 17-317.

27 (b) (2) To receive a duplicate license certificate, the licensee shall submit to
28 the Commission:

29 (i) an affidavit stating that the license certificate has been lost or
30 destroyed; and

31 (ii) a fee [of \$5] SET BY THE COMMISSION.

32 (c) (2) To receive a duplicate pocket card, the licensee shall submit to the
33 Commission:

34 (i) an affidavit stating that the pocket card has been lost or
35 destroyed; and

1 (ii) a fee [of \$1] SET BY THE COMMISSION.

2 17-318.

3 (a) To change the name of a licensee or a firm on a license certificate and
4 pocket card, a licensee shall submit to the Commission:

5 (4) a fee [of \$5] SET BY THE COMMISSION.

6 **Article - Business Regulation**

7 [4-206.

8 The Commission shall pay all money that it collects into the General Fund of the
9 State.]

10 4-206.

11 (A) (1) THE COMMISSION MAY SET REASONABLE FEES FOR ITS SERVICES.

12 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
13 APPROXIMATE THE COST OF MAINTAINING THE COMMISSION AND SHALL BE BASED
14 ON THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THIS
15 ARTICLE.

16 (B) THE COMMISSION SHALL PUBLISH THE FEE SCHEDULE SET BY THE
17 BOARD IN REGULATION.

18 (C) (1) THE COMMISSION SHALL PAY ALL FEES COLLECTED UNDER THIS
19 TITLE TO THE COMPTROLLER OF THE STATE.

20 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
21 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
22 THIS ARTICLE.

23 4-305.

24 (a) An applicant for a license shall:

25 (2) pay to the Commission [an] A NONREFUNDABLE application fee [of:

26 (i) \$10 for a license to participate as a boxer, kick boxer, or wrestler
27 in a contest or to act as a second in a contest;

28 (ii) \$15 for a license to act as a referee or judge in a contest;

29 (iii) \$25 for a license to act as a manager of a boxer or kick boxer;

30 (iv) \$25 for a license to act as a matchmaker of a contest; or

1 (v) \$150 for a license to act as a promoter of a contest] SET BY THE
2 COMMISSION.

3 4-307.

4 The Commission shall issue a license to each applicant who meets the
5 requirements of this subtitle AND WHO PAYS TO THE COMMISSION A LICENSE FEE
6 SET BY THE COMMISSION.

7 8-101.

8 (a) In this title the following words have the meanings indicated.

9 (b) "Commission" means the Maryland Home Improvement Commission.

10 (c) "Contractor" means a person, other than an employee of an owner, who
11 performs or offers or agrees to perform a home improvement for an owner.

12 (d) "Contractor license" means a license issued by the Commission to act as a
13 contractor.

14 (e) "Fund" means the Home Improvement Guaranty Fund.

15 (f) "Hearing board" means a home improvement hearing board appointed by
16 the Commission under § 8-313 of this title.

17 (g) (1) "Home improvement" means:

18 (i) the addition to or alteration, conversion, improvement,
19 modernization, remodeling, repair, or replacement of a building or part of a building
20 that is used or designed to be used as a residence or dwelling place or a structure
21 adjacent to that building; or

22 (ii) an improvement to land adjacent to the building.

23 (2) "Home improvement" includes:

24 (i) construction, improvement, or replacement, on land adjacent to
25 the building, of a driveway, fall-out shelter, fence, garage, landscaping, porch, or
26 swimming pool;

27 (ii) connection, installation, or replacement, in the building or
28 structure, of a dishwasher, disposal, or refrigerator with an icemaker to existing
29 exposed household plumbing lines;

30 (iii) installation, in the building or structure, of an awning, fire
31 alarm, or storm window; and

32 (iv) work done on individual condominium units.

33 (3) "Home improvement" does not include:

- 1 (i) construction of a new home;
- 2 (ii) work done to comply with a guarantee of completion for a new
3 building project;
- 4 (iii) connection, installation, or replacement of an appliance to
5 existing exposed plumbing lines that requires alteration of the plumbing lines;
- 6 (iv) sale of materials, if the seller does not arrange to perform or
7 does not perform directly or indirectly any work in connection with the installation or
8 application of the materials;
- 9 (v) work done on apartment buildings that contain four or more
10 single-family units;
- 11 (vi) work done on the commonly owned areas of condominiums; or
- 12 (vii) a shore erosion control project, as defined in § 8-1001 of the
13 Natural Resources Article, for a residential property.

14 (h) "Home improvement contract" means an oral or written agreement
15 between a contractor and owner for the contractor to perform a home improvement.

16 (i) (1) "License" means, except where it refers to a license other than one
17 issued under this title, a license issued by the Commission.

18 (2) "License" includes:

- 19 (i) a contractor license;
- 20 (ii) a subcontractor license; and
- 21 (iii) a salesperson license.

22 (J) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
23 WITH THE ISSUANCE, RENEWAL, AND REACTIVATION OF A LICENSE.

24 [(j)] (K) "Licensed contractor" means a person who is licensed by the
25 Commission to act as a contractor.

26 [(k)] (L) "Owner" includes a homeowner, tenant, or other person who buys,
27 contracts for, orders, or is entitled to a home improvement.

28 [(l)] (M) "Salesperson" means a person who sells a home improvement.

29 [(m)] (N) "Salesperson license" means a license issued by the Commission to
30 sell a home improvement.

31 [(n)] (O) "Sell a home improvement" means:

1 (1) to negotiate or offer to negotiate a home improvement contract with
2 an owner; or

3 (2) to seek to get a home improvement contract from an owner.

4 [(o)] (P) "Subcontractor" means a person, other than a laborer or supplier of
5 materials, who makes an oral or written agreement with:

6 (1) a contractor to perform all or part of a home improvement contract; or

7 (2) another subcontractor to perform all or part of a subcontract to a
8 home improvement contract.

9 [(p)] (Q) "Subcontractor license" means a license issued by the Commission to
10 act as a subcontractor.

11 8-209.

12 (b) The Commission shall collect a fee [of \$1] SET BY THE COMMISSION per
13 page for each copy of a document in the Commission office.

14 8-210.

15 The Commission shall collect a fee [of \$1] SET BY THE COMMISSION for
16 certifying under seal the licensing status of a person.

17 [8-213.

18 Except as otherwise provided by law, the Commission shall pay all money
19 collected under this title into the General Fund of the State.]

20 8-213.

21 (A) (1) THE COMMISSION MAY SET REASONABLE FEES FOR ITS SERVICES.

22 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
23 APPROXIMATE THE COST OF MAINTAINING THE COMMISSION AND SHALL BE BASED
24 ON THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THIS
25 ARTICLE.

26 (B) THE COMMISSION SHALL PUBLISH THE FEE SCHEDULE SET BY THE
27 COMMISSION IN REGULATION.

28 (C) (1) THE COMMISSION SHALL PAY ALL FEES COLLECTED UNDER THIS
29 TITLE TO THE COMPTROLLER OF THE STATE.

30 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
31 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
32 THIS ARTICLE.

1 8-303.

2 (a) [(1)] An applicant for a license shall:

3 [(i)] (1) submit to the Commission an application on the form that
4 the Commission provides;

5 [(ii)] (2) submit to the Commission with the license application
6 proof of compliance with the insurance requirement of § 8-302.1 of this subtitle, if the
7 applicant is applying for a contractor license;

8 [(iii)] (3) pay into the Fund the fee required under § 8-404(a) of this
9 title, if the applicant is applying for a contractor license; [and]

10 [(iv)] (4) pay to the Commission [an] A NONREFUNDABLE
11 application fee[.] SET BY THE COMMISSION; AND

12 (5) PAY TO THE COMMISSION A LICENSE FEE SET BY THE COMMISSION.

13 [(2)] The application fee:

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

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

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

18 (3) To cover the cost of processing an application, \$15 of the application
19 fee is nonrefundable.]

20 (f) Notwithstanding subsection (a) of this section, an applicant that is
21 incorporated or has its principal office in another state shall pay to the Commission
22 the fee imposed in that state on a similar nonresident business if that fee is higher
23 than the [application] fee under subsection (a) of this section.

24 8-308.

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

27 (2) a notice that states:

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

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

31 (iii) the amount of the [renewal] LICENSE fee.

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

3 (i) otherwise is entitled to be licensed;

4 (ii) submits to the Commission a renewal application on the form
5 that the Commission provides;

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

9 (iv) pays to the Commission a [renewal] LICENSE fee SET BY THE
10 COMMISSION.

11 (2) [The renewal fee:

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

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

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

16 (3) Notwithstanding paragraph (2) of this subsection, a] A licensee that
17 is incorporated or has its principal office in another state shall pay to the Commission
18 the fee imposed in that state on a similar nonresident business if that fee is higher
19 than the [renewal] LICENSE fee [under paragraph (2) of this subsection] SET BY THE
20 COMMISSION.

21 8-308.1.

22 (a) The Commission shall place the license of a licensee on inactive status, and
23 issue an inactive status certificate to the licensee, if the licensee:

24 (2) pays to the Commission an inactive status [application] fee [not
25 exceeding \$50, as] set by the Commission;

26 (e) (3) Notwithstanding § 8-308 of this subtitle, a licensee whose license is
27 on inactive status shall pay to the Commission [a renewal] AN INACTIVE STATUS fee
28 SET BY THE COMMISSION [of:

29 (i) \$112.50 for a contractor license;

30 (ii) \$62.50 for a subcontractor license; or

31 (iii) \$37.50 for a salesperson license].

32 (f) The Commission shall reactivate the license of a licensee that is on
33 inactive status and reissue the license to the licensee, if the licensee:

1 (2) pays to the Commission a [reissuance] LICENSE fee [of \$10] SET BY
2 THE COMMISSION; and

3 9A-101.

4 (a) In this title the following words have the meanings indicated.

5 (b) "Board" means the State Board of Heating, Ventilation, Air-Conditioning,
6 and Refrigeration Contractors.

7 (c) "Contractor" means a heating, ventilation, air-conditioning, and
8 refrigeration contractor.

9 (d) (1) "Cooling system" means a system in which heat is removed from air,
10 surrounding surfaces, or both.

11 (2) "Cooling system" includes an air-conditioning system.

12 (e) "Forced air system" means a heating system that uses air being moved by
13 mechanical means to transmit heat.

14 (f) (1) "Heating system" means a system in which heat is transmitted by
15 radiation, conduction, or convection, or a combination of any of these methods, to the
16 air, surrounding surfaces, or both.

17 (2) "Heating system" does not include a fireplace or woodburning stove
18 not incorporated into or used as a primary heating system.

19 (g) "Heating, ventilation, air-conditioning, and refrigeration contractor"
20 means an individual who provides heating, ventilation, air-conditioning, or
21 refrigeration services.

22 (h) "Hydronic system" means a heating and cooling system using liquids or
23 steam to transmit or remove heat.

24 (i) "Independent agency" means an office, commission, board, department, or
25 agency established as an independent unit of government that may receive budgetary
26 or administrative support from the federal, State, or local government.

27 (j) "Journeyman license" means a license issued by the Board to provide
28 heating, ventilation, air-conditioning, and refrigeration services while under the
29 direction and control of a licensed contractor.

30 (k) "Journeyman restricted license" means a license issued by the Board to
31 provide heating, ventilation, air-conditioning, and refrigeration services while under
32 the direction and control of a licensed contractor, in only one of the following areas:

33 (1) heating - forced air systems;

34 (2) heating - hydronic systems;

1 (3) ventilation;

2 (4) air-conditioning; or

3 (5) refrigeration.

4 (l) (1) "License" means, unless the context requires otherwise, a license
5 issued by the Board to provide or to assist in providing heating, ventilation,
6 air-conditioning, or refrigeration services.

7 (2) "License" includes, unless the context requires otherwise, a:

8 (i) master license;

9 (ii) master restricted license;

10 (iii) limited license;

11 (iv) journeyman license;

12 (v) journeyman restricted license; and

13 (vi) apprentice license.

14 (M) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
15 WITH THE ISSUANCE AND RENEWAL OF A LICENSE AND THE ISSUANCE OF A
16 RECIPROCAL LICENSE.

17 [(m)] (N) "Licensed apprentice" means an individual who is licensed by the
18 Board to assist in providing heating, ventilation, air-conditioning, or refrigeration
19 services while:

20 (1) under the direction and control of a licensed contractor; and

21 (2) in training to become a journeyman.

22 [(n)] (O) "Licensed contractor" means a contractor who is licensed by the
23 Board to provide heating, ventilation, air-conditioning, or refrigeration services, but
24 does not include a licensed apprentice or licensed journeyman.

25 [(o)] (P) "Limited license" means a license issued by the Board exclusively to
26 maintain or repair one or more of the following: heating systems, cooling systems,
27 refrigeration systems, ventilation systems, or hydronic systems.

28 [(p)] (Q) "Master license" means a license issued by the Board to provide
29 heating, ventilation, air-conditioning, or refrigeration services.

30 [(q)] (R) "Master restricted license" means a license issued by the Board to
31 provide services in only one of the following areas:

32 (1) heating - forced air systems;

- 1 (2) heating - hydronic systems;
- 2 (3) ventilation;
- 3 (4) air-conditioning; or
- 4 (5) refrigeration.

5 [(r)] (S) "Provide heating, ventilation, air-conditioning, or refrigeration
6 services" means to install, maintain, alter, remodel, or repair heating systems, cooling
7 systems, refrigeration systems, ventilation systems, or hydronic systems.

8 [(s)] (T) "Refrigeration system" means a system used to cool a surface or area
9 below 55 degrees Fahrenheit or 12.9 degrees Celsius.

10 [(t)] (U) "Subdivision of the State" means any of the 23 counties in Maryland,
11 the City of Baltimore, and any municipal corporation.

12 [(u)] (V) "Ventilation system" means the natural or mechanical process of
13 supplying air to, or removing air from, any space:

- 14 (1) whether the air is conditioned or is not conditioned; and
- 15 (2) at a rate of airflow of more than 250 cubic feet per minute.

16 [9A-207.

17 (a) Subject to subsections (b) and (c) of this section, the Board may set
18 reasonable fees for its services.

19 (b) Except as provided in subsection (c) of this section, revenues generated by
20 the Board shall be at least equal to expenses incurred by the Board.

21 (c) The Board shall require the following fees for the issuance or renewal of
22 the following licenses:

- 23 (1) master license - \$75;
- 24 (2) master restricted license - \$25 for each area licensed;
- 25 (3) limited license - \$75;
- 26 (4) journeyman license - \$20; and
- 27 (5) apprentice license - \$10.

28 (d) The Board shall pay all money collected under this title into the General
29 Fund of the State.]

1 9A-207.

2 (A) (1) THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.

3 (2) THE FEES SHALL BE SET SO AS TO PRODUCE FUNDS TO
4 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON
5 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THIS
6 ARTICLE.

7 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD IN
8 REGULATION.

9 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
10 THE COMPTROLLER OF THE STATE.

11 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
12 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
13 THIS ARTICLE.

14 9A-303.

15 An applicant for a license shall:

16 (1) submit an application to the Board in the form that the Board
17 provides AND A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD; and

18 (2) pay to the Board or the Board's designee an examination fee
19 established by the Board in an amount not to exceed the cost of the examination.

20 9A-305.

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

22 (1) pays the [appropriate] NONREFUNDABLE application fee required by
23 § 9A-207 of this title AND THE LICENSE FEE; and

24 9A-309.

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

27 (2) pays to the Board a [renewal] LICENSE fee established by the Board;
28 and

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

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

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

3 [(g)] (F) (1) On the death of a licensed heating, ventilation,
4 air-conditioning, and refrigeration contractor, the personal representative of the
5 deceased licensee may retain the license for up to 6 months for the purpose of winding
6 up the business.

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

10 (i) acted diligently to conclude the business of the deceased
11 licensee; and

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

13 [(h)] (G) The Secretary may determine that licenses issued under this subtitle
14 shall expire on a staggered basis.

15 9A-309.1.

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

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

20 (2) MEETS THE RENEWAL REQUIREMENTS OF § 9A-309 OF THIS
21 SUBTITLE; AND

22 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (D) OF THIS
23 SECTION, PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

24 (B) (1) IF AN INDIVIDUAL HAS FAILED TO RENEW A LICENSE TO PROVIDE
25 HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION SERVICES FOR
26 ANY REASON AND THEN APPLIES TO THE BOARD FOR REINSTATEMENT MORE THAN 2
27 YEARS AFTER THE LICENSE HAS EXPIRED, THE BOARD:

28 (I) MAY REQUIRE THE INDIVIDUAL TO REAPPLY FOR A LICENSE IN
29 THE SAME MANNER AS AN APPLICANT APPLIES FOR AN ORIGINAL LICENSE UNDER
30 THIS SUBTITLE; OR

31 (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, MAY
32 REINSTATE THE LICENSE.

33 (2) THE BOARD MAY REINSTATE A LICENSE UNDER PARAGRAPH (1) OF
34 THIS SUBSECTION ONLY IF THE INDIVIDUAL:

35 (I) MEETS THE RENEWAL REQUIREMENTS OF § 9A-309 OF THIS
36 SUBTITLE;

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

3 (III) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (D) OF THIS
4 SECTION, PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

5 (C) (1) IF AN INDIVIDUAL HAS FAILED TO RENEW A LICENSE TO PROVIDE
6 HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION SERVICES FOR
7 ANY REASON AND THEN APPLIES TO THE BOARD FOR REINSTATEMENT MORE THAN 2
8 YEARS AFTER THE LICENSE HAS EXPIRED, THE BOARD, SUBJECT TO PARAGRAPH (2)
9 OF THIS SUBSECTION, MAY REINSTATE THE LICENSE.

10 (2) THE BOARD MAY REINSTATE A LICENSE UNDER PARAGRAPH (1) OF
11 THIS SUBSECTION ONLY IF THE INDIVIDUAL:

12 (I) MEETS THE RENEWAL REQUIREMENTS OF § 9A-309 OF THIS
13 SUBTITLE;

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

16 (III) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (D) OF THIS
17 SECTION, PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

18 (D) THE BOARD MAY WAIVE A REINSTATEMENT FEE FOR A LICENSEE WHO
19 PROVIDES EVIDENCE SATISFACTORY TO THE BOARD THAT THE LICENSEE DID NOT
20 PROVIDE HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION DURING
21 THE TIME THE LICENSE LAPSED.

22 12-101.

23 (a) In this title the following words have the meanings indicated.

24 (b) (1) "Dealer" means an individual who acquires commercially from the
25 public or trades commercially with the public in secondhand precious metal objects or,
26 unless otherwise provided, a pawnbroker.

27 (2) "Dealer" includes a retail jeweler as to transactions in which the
28 retail jeweler acquires commercially from the public or trades commercially with the
29 public in secondhand precious metal objects.

30 (c) "Employee" means an individual who is employed by a dealer or
31 pawnbroker to buy, sell, or supervise directly the buying or selling of secondhand
32 precious metal objects.

33 (d) "Fixed business address" means a single physical location where a licensee
34 regularly conducts business and at which the licensee or an employee of the licensee
35 is physically present:

36 (1) during normal business hours; or

1 (2) other hours as provided in the application for the license which are
2 sufficient to provide an authorized law enforcement officer or agent access to the
3 licensee's place of business as provided in § 12-306 of this title.

4 (e) "License" means a license issued by the Secretary to do business as a
5 dealer.

6 (F) "LICENSE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN CONNECTION
7 WITH THE ISSUANCE AND RENEWAL OF A LICENSE.

8 [(f)] (G) "Local law enforcement unit" means the Department of State Police,
9 a police department, or sheriff, as designated by resolution of the county or municipal
10 governing body, with jurisdiction over any place where a dealer transacts business
11 other than the dealer's fixed business address.

12 [(g)] (H) "Pawnbroker" means a person who engages in pawn transactions.

13 [(h)] (I) "Pawn transaction" means a loan of money by a dealer on deposit or
14 pledge of personal property or other valuable thing other than securities or printed
15 evidences of indebtedness, or a purchase by a dealer of personal property or other
16 valuable things on condition of selling the same back at a stipulated price.

17 [(i)] (J) "Precious metal object" means:

18 (1) a precious metal that is:

19 (i) gold;

20 (ii) iridium;

21 (iii) palladium;

22 (iv) platinum; or

23 (v) silver;

24 (2) a precious or semiprecious stone, or a pearl, that is or appears to have
25 been attached to or inlaid in a precious metal listed in paragraph (1) of this subsection
26 or any alloy of a precious metal; or

27 (3) an object that is composed of a precious metal listed in paragraph (1)
28 of this subsection or any alloy of a precious metal if:

29 (i) the market value of the metal in the object lies principally in its
30 precious metal component; or

31 (ii) at least 25% of the weight of the object is precious metal.

32 [(j)] (K) "Primary law enforcement unit" means the Department of State
33 Police, a police department, or sheriff, as designated by resolution of the county or
34 municipal governing body in the county in which the license is held.

1 [12-104.

2 The Secretary shall pay all money collected under this title into the General
3 Fund of the State.]

4 12-104.

5 (A) (1) THE SECRETARY MAY SET REASONABLE FEES FOR ITS SERVICES.

6 (2) THE FEES SHALL BE SET SO AS TO PRODUCE FUNDS TO
7 APPROXIMATE THE COST OF MAINTAINING THE LICENSING REQUIREMENTS FOR
8 DOING BUSINESS AS A DEALER AND SHALL BE BASED ON THE CALCULATIONS
9 PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THIS ARTICLE.

10 (B) THE SECRETARY SHALL PUBLISH THE FEE SCHEDULE IN REGULATION.

11 (C) (1) THE SECRETARY SHALL PAY ALL FEES COLLECTED UNDER THIS
12 TITLE TO THE COMPTROLLER OF THE STATE.

13 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE
14 OCCUPATIONAL AND PROFESSIONAL LICENSING FUND ESTABLISHED IN § 2-106.1 OF
15 THIS ARTICLE.

16 12-202.

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

18 (i) submit to the Secretary an application on the form that the
19 Secretary provides; and

20 (ii) pay to the Secretary an application fee [of \$75] SET BY THE
21 SECRETARY.

22 12-205.

23 (a) Upon receipt of a complete national and State criminal record report from
24 the Central Repository in accordance with § 12-204 of this subtitle AND PAYMENT BY
25 THE APPLICANT OF A LICENSE FEE SET BY THE SECRETARY, the Secretary shall issue
26 a license to each applicant who meets the requirements of this subtitle.

27 12-207.

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

30 (2) a notice that states:

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

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

1 (iii) the amount of the [renewal] LICENSE fee.

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

4 (7) pays to the Secretary a [renewal] LICENSE fee [of \$75] SET BY THE
5 SECRETARY.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2001.