

(PRE-FILED)

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

Requested: October 26, 2001

Introduced and read first time: January 9, 2002

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **State Board for Professional Land Surveyors - Licensing**

3 FOR the purpose of repealing the authority of the State Board for Professional Land  
4 Surveyors to issue certain limited and temporary licenses to practice land  
5 surveying; altering the requirements for taking certain licensing  
6 reexaminations after an applicant has failed two examinations; repealing  
7 certain provisions of law relating to conferences between certain license  
8 applicants and members of the Board; and generally relating to the licensing of  
9 professional land surveyors.

10 BY repealing and reenacting, with amendments,  
11 Article - Business Occupations and Professions  
12 Section 15-308 and 15-309  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume and 2001 Supplement)

15 BY repealing  
16 Article - Business Occupations and Professions  
17 Section 15-316 and 15-317  
18 Annotated Code of Maryland  
19 (2000 Replacement Volume and 2001 Supplement)

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

22 **Article - Business Occupations and Professions**

23 15-308.

24 (a) (1) If an applicant fails an examination given under this subtitle, the  
25 Board shall mail notice of the failure to the applicant.

1           (2)     The notice required under this subsection shall be mailed to the  
2 address that the applicant last gave to the Board.

3       (b)     (1)     Subject to this subsection, an applicant who fails an examination  
4 may review the applicant's answers and model answers to the examination.

5           (2)     To conduct a review under this subsection, an applicant shall submit  
6 a written request to the Board within 60 days after the date on which the Board mails  
7 notice of the applicant's failure.

8           (3)     An applicant who does not request review in accordance with  
9 paragraph (2) of this subsection waives the right to review under this subsection.

10       (c)     The Board shall confirm the test score of any applicant who fails an  
11 examination given under this subtitle if the applicant submits a written request to  
12 the Board.

13       [(d)     (1)     Subject to this subsection, an applicant who fails an examination 3  
14 times may have a conference with a member of the Board.

15           (2)     To have a conference under this subsection, an applicant shall submit  
16 a written request to the Board within 45 days after the date on which the Board mails  
17 notice of the applicant's 3rd failure.

18           (3)     An applicant who does not request a conference in accordance with  
19 paragraph (2) of this subsection waives the right to have a conference under this  
20 subsection.]

21 15-309.

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

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

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

28           (2)     pay to the Board or the Board's designee a reexamination fee set by  
29 the Board in § 15-306(a)(2) of this subtitle.

30       (c)     An applicant, for a professional land surveyor license, who fails 2  
31 reexaminations given under this section may take the examination again only [on a  
32 new application for a license that is submitted to the Board at least 2 years after the  
33 applicant last failed a reexamination] UPON SUBMISSION TO THE BOARD OF:

34           (1)     A REQUEST FOR REEXAMINATION ON THE FORM PROVIDED BY THE  
35 BOARD; AND

1 (2) THE APPROPRIATE DOCUMENTATION INDICATING THE APPLICANT'S  
2 UPDATED WORK EXPERIENCE.

3 (d) (1) A reexamination fee paid under subsection (b)(2) of this section is not  
4 refundable.

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

8 [15-316.

9 (a) The Board may issue a limited license to practice land surveying on a  
10 specific job to any applicant who:

11 (1) is licensed to practice land surveying in another state;

12 (2) is not a resident of this State;

13 (3) does not have a place of business in this State;

14 (4) submits to the Board an application on the form that the Board  
15 provides; and

16 (5) pays to the Board an application fee of \$25.

17 (b) While a limited license is in effect, it authorizes the licensee to practice  
18 land surveying only for the specific job for which the limited license is issued, as set  
19 forth in the limited license.

20 (c) (1) The Board shall set the term for each limited license issued under  
21 this section and state the term in the limited license.

22 (2) The term for a limited license may not be set for more than 1 year.

23 (3) A limited license becomes effective and expires on the dates set by the  
24 Board.

25 (d) (1) An individual may not hold more than 1 limited license at the same  
26 time.

27 (2) For a 1-year period after the applicant's last limited license expired,  
28 the Board may not issue a new limited license to an applicant.

29 (e) If a limited license holder's license from the other state expires or is  
30 suspended or revoked, the limited license terminates automatically and  
31 immediately.]

1 [15-317.

2 (a) The Board may issue a temporary license to practice land surveying to any  
3 applicant who:

4 (1) is licensed to practice land surveying in another state;

5 (2) is not a resident of this State;

6 (3) does not have a place of business in this State;

7 (4) submits to the Board an application on the form that the Board  
8 provides; and

9 (5) pays to the Board an application fee of \$25.

10 (b) The purpose of a temporary license is to allow an individual to practice  
11 land surveying while the individual applies for a license to practice land surveying  
12 and the Board considers that application.

13 (c) (1) Unless the holder of a temporary license applies, in accordance with §  
14 15-306 of this subtitle, for a license to practice land surveying within 30 days after  
15 the issuance of the temporary license, it expires 30 days after the date of issuance.

16 (2) Subject to paragraph (3) of this subsection, if the holder of a  
17 temporary license applies for a license to practice land surveying, the temporary  
18 license expires on the date that the Board acts on the application.

19 (3) In no event is a temporary license effective for more than 1 year from  
20 the date of its issuance.

21 (d) If a temporary license holder's license from the other state expires or is  
22 suspended or revoked, the temporary license terminates automatically and  
23 immediately.]

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
25 effect October 1, 2002.