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By: **Delegates Oaks, Boutin, Cane, Harrison, Hubbard, Kirk,  
Nathan-Pulliam, Phillips, and Rosenberg**

Introduced and read first time: February 8, 2002

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Home Improvement Contractor and Subcontractor Licenses - Lead**  
3 **Abatement Requirement**

4 FOR the purpose of requiring that an applicant for a home improvement contractor or  
5 subcontractor license be trained in a certain manner before a certain date;  
6 requiring that an applicant for a contractor or subcontractor license meet a  
7 certain accreditation requirement on or after a certain date; requiring that, for  
8 renewal of a contractor or subcontractor license, a licensee be trained in a  
9 certain manner before a certain date; requiring that, for renewal of a contractor  
10 or subcontractor license, a licensee meet a certain accreditation requirement on  
11 or after a certain date; and generally relating to home improvement contractors  
12 and subcontractors and lead abatement training and accreditation.

13 BY adding to  
14 Article - Business Regulation  
15 Section 8-302.3  
16 Annotated Code of Maryland  
17 (1998 Replacement Volume and 2001 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article - Business Regulation  
20 Section 8-308  
21 Annotated Code of Maryland  
22 (1998 Replacement Volume and 2001 Supplement)

23 BY repealing and reenacting, without amendments,  
24 Article - Environment  
25 Section 6-1002  
26 Annotated Code of Maryland  
27 (1996 Replacement Volume and 2001 Supplement)

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

3 **Article - Business Regulation**

4 8-302.3.

5 (A) BEFORE OCTOBER 1, 2003, AN APPLICANT FOR A CONTRACTOR LICENSE OR  
6 SUBCONTRACTOR LICENSE SHALL MEET THE TRAINING REQUIREMENTS SET BY  
7 REGULATION OF THE DEPARTMENT OF THE ENVIRONMENT FOR A WORKER OR  
8 PROJECT DESIGNER IN ACCORDANCE WITH § 6-1002(C) OF THE ENVIRONMENT  
9 ARTICLE.

10 (B) ON OR AFTER OCTOBER 1, 2003, AN APPLICANT FOR A CONTRACTOR  
11 LICENSE OR SUBCONTRACTOR LICENSE SHALL MEET THE ACCREDITATION  
12 REQUIREMENTS SET BY REGULATION OF THE DEPARTMENT OF THE ENVIRONMENT  
13 IN ACCORDANCE WITH § 6-1002(A) OF THE ENVIRONMENT ARTICLE.

14 8-308.

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

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

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

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

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

24 (1) a renewal application form; and

25 (2) a notice that states:

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

27 (ii) the date by which the Commission 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 fee.

30 (d) (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) submits to the Commission a renewal application on the form  
2 that the Commission provides;

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

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

7 (2) The renewal fee:

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

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

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

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

16 (e) For renewal of a contractor license, the licensee shall:

17 (1) submit to the Commission, by a credit reporting agency approved by  
18 the Commission, a credit report that contains the information required by the  
19 Commission; or

20 (2) pay to the Commission or the Commission's designee a credit report  
21 fee in an amount not to exceed the cost charged by a credit reporting agency approved  
22 by the Commission to obtain a credit report that contains the information required by  
23 the Commission for renewal of a contractor license.

24 (F) (1) BEFORE OCTOBER 1, 2003, FOR RENEWAL OF A CONTRACTOR  
25 LICENSE OR SUBCONTRACTOR LICENSE, THE LICENSEE SHALL MEET THE TRAINING  
26 REQUIREMENTS SET BY REGULATION OF THE DEPARTMENT OF THE ENVIRONMENT  
27 FOR A WORKER OR PROJECT DESIGNER IN ACCORDANCE WITH § 6-1002(C) OF THE  
28 ENVIRONMENT ARTICLE.

29 (2) ON OR AFTER OCTOBER 1, 2003, FOR RENEWAL OF A CONTRACTOR  
30 LICENSE OR SUBCONTRACTOR LICENSE, THE LICENSEE SHALL MEET THE  
31 ACCREDITATION REQUIREMENTS SET BY REGULATION OF THE DEPARTMENT OF THE  
32 ENVIRONMENT IN ACCORDANCE WITH § 6-1002(A) OF THE ENVIRONMENT ARTICLE.

33 [(f)] (G) (1) The Commission shall renew the license of each licensee who  
34 meets the requirements of this section.

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

4

**Article - Environment**

5 6-1002.

6 (a) Except as provided in subsection (c) of this section, unless the person is  
7 accredited by the Department under this subtitle, a person may not:

8 (1) Act as a contractor or supervisor for the purpose of providing lead  
9 paint abatement services;

10 (2) Provide training to others who provide lead paint abatement services;  
11 or

12 (3) Engage in the inspection of lead-based paint hazards.

13 (b) The Department shall, by regulation, create exceptions to the accreditation  
14 requirement for instances where the disturbance of lead-containing substance is  
15 incidental.

16 (c) An individual who acts only as a worker or project designer need not be  
17 accredited, but must be trained.

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