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By: **Delegates Myers, Boutin, Edwards, Fulton, Glassman, Haddaway,  
Impallaria, Krebs, Miller, Mitchell, Owings, Parrott, Weldon, and Wood**  
Introduced and read first time: January 29, 2004  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Licensed Professional Engineers - Preparation of Construction Drawings -**  
3 **Authority by Jurisdiction**

4 FOR the purpose of providing an exception to certain provisions of law regulating  
5 architects to authorize a county or a municipal corporation of the State to  
6 determine that a licensed professional engineer may prepare, sign, seal, and  
7 date construction drawings for certain projects in the jurisdiction; and generally  
8 relating to the authority of a county or municipal corporation of the State to  
9 allow licensed professional engineers to prepare construction drawings.

10 BY repealing and reenacting, with amendments,  
11 Article - Business Occupations and Professions  
12 Section 3-103  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume and 2003 Supplement)

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

17 **Article - Business Occupations and Professions**

18 3-103.

19 (a) Except as otherwise provided in this section, all architectural documents  
20 prepared in connection with the addition, alteration, construction, or design of a  
21 building, an integral part of a building, or a group of buildings which are intended for  
22 public use or residential use shall be signed, sealed, and dated by a licensed architect  
23 in accordance with § 3-501 of this title.

24 (b) A licensed architect may perform design coordination for a project or  
25 portion of a project provided that the licensed architect:

26 (1) holds a current license issued by the Board; and

1 (2) has adequate experience in, and understanding of, achieving the  
2 purpose of the project or portion of the project being coordinated.

3 (c) This title does not limit the right of:

4 (1) a construction contractor to administer construction contracts;

5 (2) a developer, builder, or contractor to provide design services related  
6 to the developer's, builder's, or contractor's own construction of new or existing  
7 single-family or two-family dwellings, or structures ancillary to them, or farm  
8 buildings;

9 (3) a certified interior designer or other individual to provide interior  
10 design services as that term is defined in Title 8 of this article; or

11 (4) an individual to prepare plans, drawings, and other documents in  
12 connection with the addition, alteration, construction, design, or repair of a  
13 single-family dwelling and appurtenances that are for the personal use of that  
14 individual or a member of the immediate family of that individual; OR

15 (5) THE GOVERNING BODY OF A COUNTY OR A MUNICIPAL  
16 CORPORATION OF THE STATE TO AUTHORIZE A LICENSED PROFESSIONAL ENGINEER  
17 TO PREPARE, SIGN, SEAL, AND DATE CONSTRUCTION DRAWINGS FOR PUBLIC  
18 STRUCTURES IN THE COUNTY OR MUNICIPAL CORPORATION CLASSIFIED AS  
19 STORAGE OR UTILITY (S1, S2, AND U) OF LESS THAN 12,000 SQUARE FEET  
20 CONFORMING TO THE MARYLAND BUILDING PERFORMANCE STANDARDS.

21 (d) (1) A person may not be required to employ a licensed architect in  
22 connection with the alteration or repair of an existing building or structure in a  
23 municipal corporation if the alteration or repair:

24 (i) does not exceed \$5,000 in estimated costs, including labor and  
25 materials;

26 (ii) is limited to:

27 1. interior alterations or repairs;

28 2. storefronts or facades;

29 3. fixtures, cabinetwork or furniture; or

30 4. exterior stairways, landings, decks, and ramps; and

31 (iii) does not adversely affect the structural system of the building,  
32 including foundations, footings, walls, floors, roofs, bearing partitions, beams,  
33 columns, joists, or the mechanical, electrical, or plumbing systems.

34 (2) Any work performed under this subsection shall be in compliance  
35 with the Americans with Disabilities Act and the Maryland Building Performance  
36 Standards set forth in Title 12, Subtitle 5 of the Public Safety Article.

1           (3)     The exclusion provided for in this subsection shall be used only once  
2 per building or structure in a 12-month period.

3           (4)     A building permit issued under this subsection:

4                   (i)     shall contain an affidavit signed by the person who has  
5 submitted the permit stating that the repair or alteration is in compliance with this  
6 subsection; and

7                   (ii)    may not be amended or revised in any way to cause the  
8 alteration or repair to exceed \$5,000 in total costs, including labor and materials.

9           (5)     Any building permit issued under this subsection that contains  
10 technical submissions that fail to conform to the requirements of this subsection shall  
11 be invalid.

12   (e)     Notwithstanding the provisions of subsection (d) of this section, a code  
13 official may require that architectural documents for alterations or repairs of existing  
14 buildings or structures be signed and sealed by a licensed architect if the code official  
15 determines that the signature and seal of a licensed architect is necessary to provide  
16 conformity with the Maryland Building Performance Standards or to otherwise  
17 provide for the health and safety of the public.

18   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2004.