

# HOUSE BILL 1452

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By: **Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Introduced and read first time: February 27, 2009

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Waiver of Examination Requirements – Stationary Engineers, Plumbers, Gas**  
3 **Fitters, and Heating, Ventilation, Air-Conditioning, and Refrigeration**  
4 **Contractors**

5 FOR the purpose of requiring the State Board of Stationary Engineers, the State  
6 Board of Plumbing, and the State Board of Heating, Ventilation,  
7 Air-Conditioning, and Refrigeration Contractors to waive examination  
8 requirements for certain applicants under certain circumstances; limiting the  
9 waiver to a certain time period and to certain applicants; and generally relating  
10 to the State Board of Stationary Engineers, the State Board of Plumbers, and  
11 the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration  
12 Contractors.

13 BY repealing and reenacting, with amendments,  
14 Article – Business Occupations and Professions  
15 Section 6.5-307 and 12-305.1  
16 Annotated Code of Maryland  
17 (2004 Replacement Volume and 2008 Supplement)

18 BY adding to  
19 Article – Business Occupations and Professions  
20 Section 12-305.2  
21 Annotated Code of Maryland  
22 (2004 Replacement Volume and 2008 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Article – Business Regulation  
25 Section 9A-305  
26 Annotated Code of Maryland  
27 (2004 Replacement Volume and 2008 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article - Business Occupations and Professions**

4 6.5-307.

5 (a) Subject to the limitations in subsections (b) and (c) of this section, on the  
6 affirmative vote of a majority of its voting members then serving, the Board may waive  
7 the examination requirements of this title for an individual who is licensed in another  
8 state **OR IN A LOCALITY IN ANOTHER STATE** to provide stationary engineer services.

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

10 (1) pays to the Board the nonrefundable application fee required  
11 under § 6.5-304 of this subtitle; and

12 (2) provides adequate evidence that the applicant:

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

14 (ii) holds an active license in good standing in the other state  
15 **OR THE LOCALITY;**

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

17 (iv) became licensed in the other state **OR THE LOCALITY** after  
18 meeting the state's **OR LOCALITY'S** requirements that are at least equivalent to the  
19 licensing requirements of the State, including the number of years of work experience  
20 equivalent to the experience required under § 6.5-303(c) of this subtitle.

21 (c) The Board may grant a waiver only if the state **OR THE LOCALITY** in  
22 which the applicant is licensed waives the examination of licensees of this State to a  
23 similar extent as the State waives the examination requirements for individuals  
24 licensed in that state **OR LOCALITY**.

25 **(D) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (A), (B), AND**  
26 **(C) OF THIS SECTION, THE BOARD SHALL GRANT A WAIVER TO AN APPLICANT**  
27 **WHO FILES A REQUEST BEFORE JULY 1, 2012, IF THE APPLICANT:**

28 **(1) PAYS TO THE BOARD THE NONREFUNDABLE APPLICATION**  
29 **FEE REQUIRED UNDER § 6.5-304 OF THIS SUBTITLE;**

1           **(2) HOLDS AN ACTIVE STATIONARY ENGINEER'S LICENSE IN GOOD**  
2 **STANDING FROM VIRGINIA OR NEW JERSEY, OR FROM A LOCALITY OF ONE OF**  
3 **THOSE STATES, THAT IS EQUIVALENT TO THE STATE LICENSE;**

4           **(3) HAS EXPERIENCE IN THE PROVISION OF STATIONARY**  
5 **ENGINEER SERVICES THAT MEETS THE TIME REQUIREMENTS OF § 6.5-303 OF**  
6 **THIS SUBTITLE; AND**

7           **(4) INTENDS TO RELOCATE THE APPLICANT'S PLACE OF**  
8 **RESIDENCE FROM VIRGINIA OR NEW JERSEY TO THIS STATE.**

9 12-305.1.

10           (a) Subject to the provisions of this section, the Board may waive the  
11 examination requirements for a master plumber license or a journey plumber license  
12 for an individual who is licensed to provide plumbing services in another state on the  
13 affirmative vote of at least a majority of the authorized membership of the Board.

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

15                   (1) pays the appropriate fee required under § 12-306 of this subtitle;  
16 and

17                   (2) provides adequate evidence that the applicant:

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

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

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

21                           (iv) became licensed in the other state after meeting  
22 requirements that are at least equivalent to the licensing requirements of this State.

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

26           **(D) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (A), (B),**  
27 **AND (C) OF THIS SECTION, THE BOARD SHALL GRANT A WAIVER TO AN**  
28 **APPLICANT WHO FILES A REQUEST BEFORE JULY 1, 2012, IF THE APPLICANT:**

29                   **(1) PAYS THE APPROPRIATE FEE REQUIRED UNDER § 12-306 OF**  
30 **THIS SUBTITLE;**

1           (2)   **HOLDS AN ACTIVE VIRGINIA OR NEW JERSEY MASTER**  
2 **PLUMBER'S LICENSE OR AN ACTIVE VIRGINIA JOURNEY PLUMBER'S LICENSE IN**  
3 **GOOD STANDING THAT IS EQUIVALENT TO THE STATE LICENSE;**

4           (3)   **HAS EXPERIENCE IN THE PROVISION OF PLUMBING SERVICES**  
5 **THAT MEETS THE TIME REQUIREMENTS OF § 12-302 OF THIS SUBTITLE; AND**

6           (4)   **INTENDS TO RELOCATE THE APPLICANT'S PLACE OF**  
7 **RESIDENCE FROM VIRGINIA OR NEW JERSEY TO THIS STATE.**

8 **12-305.2.**

9           (A)   **SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL**  
10 **WAIVE THE EXAMINATION REQUIREMENTS FOR A JOURNEY NATURAL GAS**  
11 **FITTERS LICENSE FOR AN INDIVIDUAL WHO IS LICENSED TO PROVIDE GAS**  
12 **FITTING SERVICES AS A JOURNEYMAN IN VIRGINIA.**

13           (B)   **THE BOARD SHALL GRANT A WAIVER UNDER THIS SECTION TO AN**  
14 **APPLICANT WHO FILES A REQUEST BEFORE JULY 1, 2012, IF THE APPLICANT:**

15           (1)   **PAYS THE APPROPRIATE FEE REQUIRED UNDER § 12-306 OF**  
16 **THIS SUBTITLE;**

17           (2)   **PROVIDES ADEQUATE EVIDENCE THAT THE APPLICANT:**

18                   (I)   **MEETS THE QUALIFICATIONS OTHERWISE REQUIRED BY**  
19 **THIS TITLE;**

20                   (II)   **HOLDS AN ACTIVE LICENSE IN GOOD STANDING IN**  
21 **VIRGINIA;**

22                   (III)   **HOLDS A LICENSE THAT IS EQUIVALENT TO THE STATE**  
23 **LICENSE; AND**

24                   (IV)   **HAS EXPERIENCE IN THE PROVISION OF NATURAL GAS**  
25 **SERVICES THAT MEETS THE TIME REQUIREMENTS OF § 12-302 OF THIS**  
26 **SUBTITLE; AND**

27           (3)   **INTENDS TO RELOCATE THE APPLICANT'S PLACE OF**  
28 **RESIDENCE FROM VIRGINIA TO THIS STATE.**

29                                   **Article - Business Regulation**

30 **9A-305.**

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

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

9 (1) pays the appropriate application fee required by § 9A-207 of this  
10 title; and

11 (2) provides adequate evidence that the applicant:

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

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

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

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

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

22 **(D) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (A), (B),**  
23 **AND (C) OF THIS SECTION, THE BOARD SHALL GRANT A WAIVER TO AN**  
24 **APPLICANT WHO FILES A REQUEST BEFORE JULY 1, 2012, IF THE APPLICANT:**

25 **(1) PAYS THE APPROPRIATE APPLICATION FEE REQUIRED UNDER**  
26 **§ 9A-207 OF THIS TITLE;**

27 **(2) HOLDS AN ACTIVE VIRGINIA LICENSE IN GOOD STANDING**  
28 **THAT IS EQUIVALENT TO THE STATE LICENSE;**

29 **(3) HAS EXPERIENCE IN THE PROVISION OF HEATING,**  
30 **VENTILATION, AIR-CONDITIONING, OR REFRIGERATION SERVICES THAT MEETS**  
31 **THE TIME REQUIREMENTS OF § 9A-302 OF THIS SUBTITLE; AND**

1                   (4) INTENDS TO RELOCATE THE APPLICANT'S PLACE OF  
2 RESIDENCE FROM VIRGINIA TO THIS STATE.

3                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2009.