



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401-1991

JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

Memorandum

To: Members of the AELR Committee
Standing Committee Chairs

From: Georgeanne Carter, AELR Committee Counsel
Kathleen P. Kennedy, AELR Committee Counsel
Kelvin V. Lucas, AELR Committee Counsel

Date: May 26, 2026

Re: **Synopses of Regulations received from 4/29/2026 through 5/25/2026**

Enclosed please find synopses of regulations received by the Joint Committee on Administrative, Executive, and Legislative Review (AELR) during the weeks noted above.

The Office of Policy Analysis prepares analyses of the regulations to determine if there are any problem areas, to ensure that the regulations comply with statutory authority and legislative intent, and to assess the fiscal impact of the regulations. If any regulation is of particular interest to you, please feel free to contact us at 410-946-5350 and we will supply you with a copy of the regulation along with the legal and fiscal analysis.

GC/KPK/KVL/bal

cc: Sally Robb
Michelle Firmin
Erin Hopwood

Agriculture, Department of

Emergency/Proposed Regulations

DLS Control No. 26-067

Department of Agriculture: Weights and Measures:

Registration of Commercial Weighing and Measuring Devices:

COMAR 15.03.08.01 and .05

According to the department, these regulations alter the term “electrical vehicle service equipment” to “public-facing electric vehicle supply equipment,” define the term, and reduce the registration fee for the equipment from \$150 per port to \$75 per port.

Natural Resources, Department of

Proposed Regulation

DLS Control No. 26-066

Department of Natural Resources: Fisheries Service:

Fish: COMAR 08.02.05.16

According to the department, the purpose of this action is to update the rules for red drum. Specifically, the proposed action increases the recreational catch and possession limit from one to three per person per day, decreases the recreational maximum size limit from 27 inches to 26 inches total length, and adds the ability for the Department to modify catch limits, size limits, and seasons for red drum to implement the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Red Drum by issuing a public notice on the Department’s website.

All of the changes are necessary to implement the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan for Red Drum (FMP). The creel and size limits are specifically required by Addendum II to Amendment 2 to the FMP and adding the public notice provision would allow the Department to make changes in a timely manner if future actions are taken by ASMFC. A public notice would also be disseminated through various other media (social media, email lists, publishing in the Maryland Register, etc.) so that an affected individual has a reasonable opportunity to be informed.

In October 2025, the Sciaenids Management Board (Board) approved Addendum II to Amendment 2 to the FMP. The Addendum updates red drum management, with the goal of improving efficiency, flexibility, and timeliness in implementation of new regulations and providing assessment advice. In addition, the Addendum aligns red drum recreational regulations in Virginia, Maryland, and the Potomac River Fisheries Commission (PRFC) given their shared water bodies. The Board agreed to the following recreational measures for Virginia, Maryland and the PRFC: 3-fish bag limit and a 18-26 inch total length slot. These measures are meant to simplify management and enforcement in the shared waterbodies of the three jurisdictions.

Proposed Regulation

DLS Control No. 26-069

Department of Natural Resources: Fisheries Service:

Fish: COMAR 08.02.05.14

According to the department, the purpose of this action is to modify regulations for Spanish mackerel. The proposed action establishes a commercial catch limit of 500 pounds per vessel per day or trip, whichever is longer, regardless of the number of licensees on board the vessel when the National Oceanic and Atmospheric Administration (NOAA) Fisheries announces a closure of the northern fishery. The proposed action also updates the public notice provision by changing the requirement to publish a notice in a daily newspaper of general circulation to posting the notice on the Department's website.

When commercial landings have reached the commercial quota for the Atlantic migratory group Spanish mackerel northern zone, NOAA Fisheries announces a closure of the Spanish mackerel northern fishery. The northern zone for Atlantic migratory group Spanish mackerel includes federal waters from North Carolina through New York. When federal waters close, the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan for Spanish Mackerel (FMP) allows states to implement a bycatch in state waters. Since 2020, the Department has implemented a 500-pound commercial catch limit after NOAA Fisheries closes the northern fishery. This limit is consistent with North Carolina, the Potomac River Fisheries Commission, and Virginia. Implementing the bycatch is necessary to prevent the quota from being further exceeded, while allowing a minimal bycatch amount of Spanish mackerel to be landed to avoid dead discards.

Changing the requirement for publishing public notices issued to implement the ASMFC FMP from the newspaper to the Department's website allows the Department to make changes in a timely manner if future actions are taken by ASMFC. The public notice would continue to be disseminated through various other media (social media, email lists, publishing in the Maryland Register, etc.) so that an affected individual has a reasonable opportunity to be informed.

Proposed Regulations

DLS Control No. 26-071

Department of Natural Resources: Wildlife:

Use of Wildlife Areas: COMAR 08.03.02.02, .27, .28, and .30

According to the department, the purpose of this action is to add the newly acquired property known as Swanson Creek to the state Wildlife Management Area (WMA) system and establish hunting restrictions for the property. Swanson Creek WMA is located in Charles County. The amendments also revise nomenclature and locations for certain WMAs and updates the regulations to reflect current and long-standing policy as it relates to hunting on certain WMAs and purchasing shooting range permits.

Proposed Regulations

DLS Control No. 26-072

Department of Natural Resources: Wildlife:

Open Seasons, Bag Limits for Game Birds and Game Animals:

COMAR 08.03.03.03 – .05, .07, and .08

According to the department, the purpose of this action is to establish the season dates and bag limits for the 2026—2027 and 2027—2028 hunting seasons for forest game, upland game, fur-bearing mammals, white-tailed deer, and sika deer. Hunting season dates and bag limits for most species are similar to previous hunting seasons with some exceptions. The river otter bag limit has been combined in the non-coastal zones and is now two otters per day with a total of two per season for these areas combined. The fisher bag limit has been increased to four fishers per day with a season limit also of four. Long-tailed weasel seasons and bag limits are now the same as fisher.

Proposed Regulations

DLS Control No. 26-073

Department of Natural Resources: Wildlife:

Forest Wildlife: COMAR 08.03.04.05

Furbearer Wildlife: COMAR 08.03.06.08

Waterfowl: COMAR 08.03.07.06 and .12

General Wildlife Hunting Regulations: COMAR 08.03.10.02 and .17

According to the department, the purpose of this action is to (1) change the muzzle energy requirements for certain rifles used to hunt deer and black bear; (2) require gray fox harvested by hunters and trappers to be checked-in using an automated telephone/Internet/mobile app system similar to deer and wild turkey; (3) clarify that certain special hunting methods may be used during segments of the regular snow goose season when designated by the Department of Natural Resources; and (4) codify that drones may be used to locate wounded or killed game animals but may not be used otherwise to hunt or harass wildlife.

Proposed Regulations

DLS Control No. 26-086

Department of Natural Resources: Fisheries Service:

Crabs: COMAR 08.02.03.01

Oysters: COMAR 08.02.04.01 – .03, .08, and .12

Fish: COMAR 08.02.05.19

Hard-Shell Clams: COMAR 08.02.07.02 and .03

Gear: COMAR 08.02.25.02 and .03

According to the department, the purpose of this action is to clarify that an individual may attempt to catch fish only when using legal fishing gear. The Department recently discovered that the regulations for using gear are not completely clear. Certain regulations specify which gear can be used to catch fish, but the regulations should also include that an individual may only use that

gear even when attempting to catch fish. The proposed action clarifies gear rules by adding the phrase “attempt to catch” to the appropriate sections of regulation.

Proposed Regulation

DLS Control No. 26-087

Department of Natural Resources: Fisheries Service:

Shellfish - General: COMAR 08.02.08.09

According to the department, the purpose of this action is to require harvesters who sell their own catch, who are also licensed by the Maryland Department of Health (MDH), to declare their intent to purchase shellfish intended for human consumption.

The Maryland Department of Natural Resources (MDNR) recently created a requirement for shellfish dealers to declare their intention to deal in shellfish if they plan to purchase soft-shell clams of the species *Mya arenaria*, hard-shell clams, and oysters. Part of that declaration process requires the dealer to provide the Department with the dealer’s certification number from MDH. The purpose of this requirement is to better align the ability of MDNR and MDH to coordinate and track the purchase and transport of shellfish intended for human consumption, thereby ensuring public health. However, some harvesters who are both licensed by MDNR and certified by MDH as dealers sell their own catch directly to the public. The most important transaction regarding shellfish for MDNR to be aware of is the initial transaction. This may be between the harvester and the dealer, or between the harvester and the public. Covering the initial transaction ensures that shellfish intended for human consumption comes from licensed harvesters, is tagged properly, and has complied with time and temperature requirements. Additionally, it ensures that buy tickets are properly filled out to ensure that the required taxes are paid for the replenishment of the State’s shellfish resources, and harvest information is recorded to track the origin of the shellfish. Including MDNR-licensed, MDH-certified harvesters who sell their own catch to the public will ensure the public health and resource management benefits necessary for the management of these fisheries.

Environment, Department of the

Emergency Regulations

DLS Control No. 26-068

Department of the Environment:

Regulation of Water Supply, Sewage Disposal, and Solid Waste:

**Sewage Disposal and Certain Water Systems for Homes and Other Establishments
in the Counties of Maryland Where a Public Sewage System is Not Available:**

COMAR 26.04.02.01, .02, .08, and .09

According to the department, these regulations prohibit the use of on-site sewage disposal systems, holding tanks, and wells to serve a property that is already connected to a community sewerage system or community water supply system. In addition, the regulations generally prohibit

the temporary use of a portable unit to facilitate the use of a new structure or a modification of an existing structure.

Proposed Regulations

DLS Control No. 26-076

Department of the Environment: Mining:

Surface Mining: COMAR 26.21.01.01 – .04, .07, .08, .10 – .14, .18 – .25, .27, and .29

Zone of Dewatering Influence: COMAR 26.21.02.03 – .06

Public Notice for Existing Permits: COMAR 26.21.03.05

Utilization of Coal Combustion Byproducts in Noncoal Surface Mine Reclamation:

COMAR 26.21.04.03, .06, and .09

According to the department, the purpose of this action is to revise COMAR 26.21 to enhance clarity, reflect current standards and practices, and achieve consistency with other regulations. Amendments include revisions to definitions to improve clarity; adoption of additional defined terms.

Transportation, Department of

Proposed Regulations

DLS Control No. 26-074

Department of Transportation:

Motor Vehicle Administration — Vehicle Registration:

Dump Service Registration: COMAR 11.15.20.05

Four or More Axle Dump Service Vehicles: COMAR 11.15.27.02, .05, .07, and .08

According to the department, the purpose of this action is to update existing regulations to eliminate the requirement for out of state dump service vehicles to purchase a Maryland registration if they are operating above 55,000 pounds of Gross Vehicle Weight Rating; and to reorganize for clarity.

Proposed Regulations

DLS Control No. 26-075

Department of Transportation:

Motor Vehicle Administration—Driver License and Identification Card:

Identification Cards: COMAR 11.17.06.04 and .07 – .10

According to the department, the purpose of this action is to allow minors, over the age of 15, to apply for an identification card without a co-signer, and to cleanup Chapter.

Interagency Commission on School Construction

Proposed Regulations

DLS Control No. 26-057

Independent Agencies: Interagency Commission on School Construction:

Administration of the Public School Construction Program:

COMAR 14.39.02.06 and .09

According to the agency, the purpose of this action is to implement a Small County State Cost Share adjustment, establish State cost share amounts for each local education agency and the Maryland School for the Blind for FY 2027 and 2028, and to provide a ten-percentage-point State cost-share increase where the LEA is located in a Tier 1 county, and clarify under what circumstances State funding may be used for early site work as a portion of project development and design funding.

Proposed Regulations

DLS Control No. 26-083

Independent Agencies: Maryland Cannabis Administration:

Definitions: COMAR 14.17.01.01

Application Process and Issuance of Licenses : COMAR 14.17.05.05

Cannabis Grower Operations: COMAR 14.17.10.03, .09, and .10

Cannabis Dispensary Operations: COMAR 14.17.12.03 and .04

Cannabis Products: COMAR 14.17.13.13

Finished Product Packaging: COMAR 14.17.18.02, .07, and .08

Hearing Procedures: COMAR 14.17.22.02

According to the administration, the purpose of this action is to define the terms medical and therapeutic claims and sublingual pouch; allow conditional licensees to request up to two 6-month extensions based on certain criteria; establish minimum standards for licensed growers to protect the rights of the growers and employees; codify grower corrective and preventive action (CAPA) requirements; in alignment with requirements for standard dispensaries, require micro dispensaries to distribute certain point of sale materials to customers; add sublingual pouches as a new product category with associated product, packaging, and labeling requirements; remove “plain” packaging requirement and supplement existing restrictions on youth-appealing packaging; and establish discovery procedures under COMAR 14.17.22.09.

Proposed Regulations

DLS Control No. 26-078

Independent Agencies: Prescription Drug Affordability Board:

Implementation and Monitoring of Upper Payment Limits:

COMAR 14.01.06.01 – .04

According to the board, the purpose of this action is to (1) identify the entities subject to upper payment limits (UPL); (2) establish certain contracting provisions and reporting requirements; (3) establish certain guidelines concerning the application of upper payment limits

to eligible governmental entities; and (4) establish upper payment limit monitoring and data reporting requirements.

Proposed Regulation

DLS Control No. 26-079

Independent Agencies: Prescription Drug Affordability Board:

Upper Payment Limit: COMAR 14.01.07.01

According to the board, the purpose of this action is to (1) establish an upper payment limit (UPL) for Jardiance through regulation; and (2) provide for inflation adjustment of the UPL on an annual basis.

Maryland Department of Health

Extention of Emergency Regulations

DLS Control No. 26-065

Maryland Department of Health: Board of Pharmacy:

Pharmacist Administration of Vaccinations: COMAR 10.34.32.02 – .08

According to the department, the Joint Committee on Administrative, Executive, and Legislative Review has granted an extension of emergency status to amendments to Regulations .02 and .03, the repeal of existing Regulation .04, the amendment and recodification of existing Regulation .07 to be Regulation .06, and the recodification of existing Regulations .05, .06, and .08 to be Regulations .04, .05, and .07 under COMAR 10.34.32 Pharmacist Administration of Vaccines.

Proposed Regulations

DLS Control No. 26-085

Maryland Department of Health: Medical Care Programs:

Medical Assistance Eligibility: COMAR 10.09.24.02 and .05-5

Justice Involved Case Management Services: COMAR 10.09.67.01 – .11

Maryland HealthChoice Program:

Definitions: COMAR 10.67.01.01

MCO Application: COMAR 10.67.03.10

Managed Care Organizations: COMAR 10.67.04.04 and .13

According to the department, the purpose of this action is to (1) expand services eligible for reimbursement during incarceration, as well as define the population eligible for those services; (2) define requirements for services reimbursed prior to release from certain public institutions; (3) expand the definition of Special Needs Populations to include certain individuals being released from certain public institutions; and (4) further define MCO responsibilities to individuals post-release from certain public institutions.

Labor, Maryland Department of

Proposed Regulations

DLS Control No. 26-077

Maryland Department of Labor: Division of Labor and Industry:

Model Performance Code: COMAR 09.12.50.02, .02-1, and .03

Maryland Building Performance Standards: COMAR 09.12.51.03 and .04

Industrialized Buildings and Manufactured Homes:

COMAR 09.12.52.02 – .04, .07 – .12, .17, and .18

According to the department, the purpose of this action is to update various existing incorporated by reference standards in the Model Performance Code and the Maryland Building Performance Standards to the first edition of the: (1) 2024 International Building Code; (2) 2024 International Residential Code for One- and Two-Family Dwellings; (3) 2024 International Energy Conservation Code; (4) 2024 International Plumbing Code; (5) 2024 International Mechanical Code; and (6) National Electric Code, 2023 Edition (NFPA 70).

This action amends the Maryland Performance Code (MPC) requirements for the construction of modular (offsite) and State-owned facilities to align with the Maryland Building Performance Standards (MBPS). This action also updates the relevant plumbing codes in MPC to implement Ch. 547, Acts of 2025, Environment - Water Bottle Filling Stations - Requirement. Finally, this adoption eliminates the new International Mechanical Code requirement to install piping, including that used for flammable refrigerants, within shafts provided that the pipe penetration of any fire-rated assembly (floors, walls, etc.) is protected by approved firestop materials or assemblies.

Under the general statewide Maryland Building Performance Standards (MBPS), this action reorganizes several code cycles' worth of amendments to align with adopted codes, removes the prescriptive energy path option adopted by Maryland during the last code cycle as this method was fully incorporated into this latest edition of the International Residential Code, removes duplicate definitions, and clarifies the authority of the Elevator Unit in relation to building codes. This action also removes the requirement for new renewable load management sections of the IECC and maintains the renewable load management framework as an option for additional energy features.

Finally, under Industrialized Buildings and Manufactured Homes, this action update definitions; clarify that relocatable buildings, such as school units, may be moved to new locations so long as their energy and design comply with the requirements for the new location at time of initial construction; removes irrelevant or obsolete requirements, and updates application requirements and fee schedules related to industrialized building and manufactured homes.

Institute for Emergency Medical Services Systems, Maryland

Proposed Regulations

DLS Control No. 26-084

Maryland Institute for Emergency Medical Services Systems:

General:

Definitions: COMAR 30.01.01.00 – .02

Designation of Trauma and Specialty Referral Centers:

Designation of Trauma and Specialty Referral Centers: COMAR 30.08.02.01 – .03, .05, .09, and .10

Trauma Center Designation and Verification Standards: COMAR 30.08.05.02 – .24

Designated Primary Stroke Center Standards:

COMAR 30.08.11.01 – .11, .13, and .14

Perinatal and Neonatal Referral Center Standards:

COMAR 30.08.12.01, .03, .04, .06 – .12, .14, and .15

Comprehensive Stroke Center Standards: COMAR 30.08.17.01 – .09 and .11 – .17

Designated Acute Stroke Ready Center: COMAR 30.08.18.01 – .05 and .07 – .14

Designated Thrombectomy- Capable Primary Stroke Center Standards:

COMAR 30.08.19.01 – .15

According to the institute, the purpose of this action is to clarify definitions used in the trauma and specialty referral center system to match current terminology used, remove outdated regulations regarding previous application procedures, reduce the number of years of a designation status from 5 years to 3 years to better match nationwide certification programs, to update the notification requirements for unexpected downtime in order to coordinate EMS care across the State, and to make program-specific changes that better reflect the current care provided in trauma and specialty referral centers.

Education, State Board of

Proposed Regulation

DLS Control No. 26-081

State Board of Education: Local School Administration:

Local Boards of Education: COMAR 13A.02.01.01

According to the board, the purpose of this action is to establish requirements for local boards of education to hold regular meetings of the local board in-person. There are outlined exceptions for special meetings of the local board and for exceptional circumstances. The amendments would also establish minimum requirements for local boards to hold an opportunity for public comment and adopt a written policy for conducting public comment.

Proposed Regulations

DLS Control No. 26-082

State Board of Education: Certification:

Disciplinary Actions and Denials: COMAR 13A.12.06.02 and .03

According to the board, the purpose of this action is to serve two primary objectives: (1) alignment of licensure and contract regulations; and (2) discretionary authority for reciprocal discipline.